

भारत का राजपत्र **The Gazette of India**

प्राधिकार से प्रकाशित

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 No. 29] NEW DELHI, SATURDAY, JULY 22, 1967/ASADHA 31, 1889

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र ४ जुलाई १९६७ तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published up to 4th July, 1967:—

Issue No.	No. and Date	Issued by	Subject
338	S.O. 2230, dated 28th June, 1967.	Ministry of Health & Family Planning.	Nomination of Shri D.J. Madan, Joint Secretary (W & H) Ministry of Finance to be member of the All India Institute of Medical Sciences, New Delhi.
339	S.O. 2231, dated 28th June, 1967.	Election Commission, India.	Bye-election to the Kokrajhar (S. T.) Parliamentary Constituency in the State of Assam.
	S.O. 2232, dated 28th June, 1967.	Do.	Appointment of dates for the above bye-election (S.O. 2231).
	S.O. 2233, dated 28th June, 1967.	Do.	Fixation of hours for the above bye-election (S.O. 2231).
340	S.O. 2234, dated 30th June, 1967.	Ministry of Home Affairs.	Amendment in the notification No. S.O. 1104, dated 20th March, 1965.
341	S.O. 2235, dated 30th June, 1967.	Ministry of Commerce.	Taking over the management of the Mewar Textile Mills Limited, Bhilwara by Shri Y. Singh.
342	S.O. 2236, dated 3rd July, 1967.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of the State of Gujarat to elect a person to fill the vacancy in the Council of States of the said state.

Issue No.	No. and Date	Issued by	Subject
	S.O. 2237, dated 3rd July, 1967.	Election Commission, India.	Appointment of dates for the above election (S.O. 2236).
	S.O. 2238, dated 3rd July, 1967.	Do.	Fixation of hours for the above election (S.O. 2236).
	S.O. 2239, dated 3rd July, 1967.	Do.	Designating the Secretary, Gujarat Legislature Secretariat to be the Returning Officer for the above election (S.O. 2236).
	S.O. 2240, dated 3rd July, 1967.	Do.	Appointing Under Secretary, Gujarat Legislature Secretariat to assist the Returning Officer for the above election (S.O. 2236).
343	S.O. 2285, dated 4th July, 1967.	Ministry of Commerce.	The Cotton and Staple Fibre Textile Mills (Regulation of Working) Second Amendment Order, 1967.
344	S.O. 2286, dated 4th July, 1967.	Ministry of Labour, Employment and Rehabilitation.	Appointment of a Commission of Inquiry consisting of Shri B.N. Gokhale, retired Judge of the High Court of Judicature at Bombay to inquire into security of jobs in the oil companies.
345	S.O. 2287, dated 4th July, 1967.	Ministry of Health & Family Planning.	Nomination of Shri P. N. Kirpal, Secretary, Ministry of Education to be a member of the All India Institute of Medical Sciences, New Delhi.

ऊपर लिखे प्रसाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—अध्याय 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(एका मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories)

ELECTION COMMISSION, INDIA

New Delhi, the 4th July 1967

S.O. 2391.—Whereas the Election Commission is satisfied that Shri Malladi Venkatarama Murthy, Advocate, Tyagarayanagar, Bapatla, District Guntur, Andhra Pradesh, a contesting candidate for election to the House of the People from

Ongole Constituency, has failed to lodge an account of his election expenses within time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder; and has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Malladi Venkatarama Murthy to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-HP/15/67(1).]

By Order,

K. S. RAJAGOPALAN,

Secretary to the Election Commission.

MINISTRY OF LAW

(Legislative Department)

CORRIGENDUM

New Delhi, the 6th July 1967

S.O. 2392.—In this Ministry's notification No. S.O. 1649, dated the 5th May, 1967, published in the Gazette of India—Extraordinary—Part II—Section 3—Sub-section (ii), dated the 5th May, 1967, under serial No. (7),

for the words "Shriman Prafulla Goswami, P.O. Malbari" read "Sriman Prafulla Goswami, P.O. Nalbari".

[No. F. 5(33)/67-Elec.]

A. S. LOKANATHAN, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 15th June 1967

S.O. 2393.—In exercise of the powers conferred by Section 91 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government, as respects the Union Territory of Chandigarh, specifies the Administrator of the Union territory of Chandigarh as the authority who shall, as from the 1st day of November, 1966, be competent to exercise the functions of a Financial Commissioner under the Punjab Land-Revenue Act, 1887 (Punjab Act XVII of 1887).

2. This notification shall be deemed to have come in force on the 1st day of November, 1966.

[No. F. 25/6/67-DH(S).]

A. F. COUTO, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)
New Delhi, the 14th July 1967

S.O. 2394.—Statement of the Affairs of the Reserve Bank of India as on the 7th July, 1967.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes	14,97,79,000
		Rupee Coin	3,91,000
Reserve Fund	80,00,00,000	Small Coin	3,05,000
National Agricultural Credit (Long Term Operations) Fund	131,00,00,000	Bills Purchased and Discounted—	
		(a) Internal	
		(b) External	
National Agricultural Credit (Stabilisation) Fund	25,00,00,000	(c) Government Treasury Bills	233,37,48,000
		Balances Held Abroad*	18,63,89,000
National Industrial Credit (Long Term Operations) Fund	33,00,00,000	Investments**	272,80,05,000
		Loans and Advances to —	
		(i) Central Government	
		(ii) State Governments†	55,55,81,000
Deposits—		Loans and Advances to —	
(a) Government—		(i) Scheduled Commercial Banks†	3,11,10,000
		(ii) State Co-operative Banks††	134,95,13,000
		(iii) Others	2,53,30,000

(i) Central Government	50,92,78,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—	
(ii) State Governments	5,72,08,000	(a) Loans and Advances to —	
		(i) State Governments	28,33,44,000
		(ii) State Co-operative Banks	15,34,42,000
		(iii) Central Land Mortgage Banks	..
b) Banks—		(b) Investment in Central Land Mortgage Bank Debentures	7,35,93,000
i) Scheduled Commercial Banks	130,26,88,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
ii) Scheduled State Co-operative Banks	6,34,88,000	Loans and Advances to State Co-operative Banks	8,81,73,000
iii) Non-Scheduled State Co-operative Banks	85,96,000		
(iv) Other Banks	10,68,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
(c) Others	319,81,15,000	(a) Loans and Advances to the Development Bank	5,24,15,000
Bills Payable	37,15,92,000	(b) Investment in bonds/debentures issued by the Development Bank	..
Other Liabilities	27,68,50,000	Other Assets	48,77,65,000
Rupees	849,88,83,000	Rupees	849,88,83,000

*Includes Cash and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

‡ Includes Rs Nil advanced to Scheduled Commercial Banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

§ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 12th day of July, 1967.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 7th day of July, 1967
ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department			Gold Coin and Bullion :—		
Notes in Circulation . . .	14,97,79,000		(a) Held in India	115,89,25,000	
	3088,69,13,000		(b) Held outside India		
Total Notes issued] .		3103,66,92,000	Foreign Securities	166,42,00,000	
			TOTAL		282,31,25,000
			Rupee Coin		66,44,08,000
			Government of India Rupee Securities		2754,91,59,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		3103,66,92,000	TOTAL ASSETS		3103,66,92,000

Dated the 12th day of July, 1967.

L. K. JHA,
Governor.
(No. F. 3(3)-BC/67.)
S. K. MITAL,
Under Secy.

(Department of Revenue & Insurance)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 7th July 1967

S.O. 2395.—In pursuance of clause (b) of sub rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri C. Rajagopalan Nair, Inspecting Assistant Commissioner of Income-tax, Range-I, Hyderabad as Authorised Representative, Income Tax Appellate Tribunal, Hyderabad, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal, Hyderabad from 17th June 1967 to 5th July, 1967.

[No. F.57/20/67-AD-VI.]

M. G. THOMAS, Under Secy.

(Department of Revenue and Insurance)

ORDER

STAMPS

New Delhi, the 22nd July 1967

S.O. 2396.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds to the value of Rs. 30,00,000 (rupees thirty lakhs) to be issued by the Punjab State Financial Corporation are chargeable under the said Act.

[No. 6/67-F. No. 1/34/67-Cus. VII/Stamp.]

M. S. SUBRAMANYAM, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 15th July 1967

S.O. 2397.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following further amendments in the schedule appended to its Notification No. 107 (F. No. 50/5/66-ITJ) dated the 27th October, 1966, namely:

In the said schedule against A-Range, Amritsar and B-Range, Amritsar under column 2 the following entries shall be substituted, namely:—

A-Range, Amritsar.

1. In respect of orders passed by the Income-tax Officers upto and including 14th July, 1967.
 - (i) District I, Amritsar.
 - (ii) District II, Amritsar.
 - (iii) District III (iv), Amritsar.
 - (iv) Special Survey Circle, Amritsar (in respect of persons who have their principal place of business in or reside in the jurisdiction of Districts I, II and III (iv), Amritsar.
2. In respect of orders passed by the Income-tax Officers after 14th July, 1967.

District I(i) to I(v), I(ix) and District II(i) to II(v).

B-Range, Amritsar.

1. In respect of orders passed by the Income-tax Officers upto and including 14th July, 1967.
 - (i) District III(i), III(ii), III(iii), III(v) and III(vi) Amritsar.
 - (ii) Central Circles, I, II, III, Amritsar.
 - (iii) Central Circle, Ludhiana.
 - (iv) Central Circle, Ambala.
 - (v) Special Survey Circle, Amritsar (in respect of persons who have their principal place of business in or reside in the jurisdiction of District III(i), III(ii), III(iii), III(v) and

III(vi), Amritsar, Central Circles I, II, III, Amritsar, Central Circle, Ludhiana and Central Circle, Ambala.

2. In respect of orders passed by the Income-tax Officers after 14th July, 1967.

(i) District I(vi) to I(viii) and District. II(vi) to II(viii).

(ii) Central Circles I, II, III, Amritsar.

(iii) Central Circle, Ludhiana.

(iv) Central Circle, Ambala.

This notification shall take effect from 15th July, 1967

Explanatory Note

The amendment has become necessary on account of abolition of some existing Income-tax Districts at Amritsar and creation of some new Income-tax Districts there. (The above note does not form part of the notification but is intended to be merely clarificatory).

[No. 55(F. No. 50/74/67-ITJ.)]

New Delhi, the 17th July 1967

S.O. 2398.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other power enabling it in that behalf the Central Board of Direct Taxes hereby makes the following further amendments in the Schedule appended to its notification No. 16-Income-tax, dated the 14th January, 1966, namely:—

In the said Schedule against "A-Range, Jaipur" under Column 2, after S. No. 9 the following shall be added namely:—

10. H-Ward, Jaipur.

11. J-Ward, Jaipur.

Explanatory Note

The amendment has become necessary on account of abolition of Special Survey Circles I & II and Special Assessment Circle, at Jaipur and creation of two new Wards viz. H. & J. Wards, at Jaipur.

(This note does not form a part of the notification but is intended to be merely clarificatory).

[No. 56(F. No. 50/64/67-ITJ.)]

P. G. GANDHI, Under Secy.

INCOME-TAX

New Delhi, the 10th July 1967

S.O. 2399.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendment to the schedule appended to its Notification No. 20 (F. No. 55/1/62-IT), dated the 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3, Sub-section (ii) dated the 11th May 1963, as amended from time to time:—

1. In the existing entries in Column 3 against Sl. No. 15 the following entry shall be deleted:—

"1. Circle I, Lucknow."

The Circles mentioned at Sl. No. 2 to 22 shall be renumbered as 1 to 21 consecutively.

2. In the existing entry in column against Sl. No. 15-A the following Circle shall be placed at Sl. No. 1:—

"1. Circle-I, Lucknow."

The existing Circles mentioned at Sl. No. 1 to 25 shall be renumbered as 2 to 26 consecutively.

3. This notification shall come into force with effect from 15th July, 1967.

[No. 50—F. No. 55/185/67IT(A.II.)]

New Delhi, the 17th July 1967

S.O. 2400.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT) dated 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 11th May, 1963, as amended from time to time:—

Against S. No. 9A, Madras (Central), Madras under Column 3 of the Schedule appended thereto, delete the following entries:

“4. Central Circle, Trichur.”

The existing entry 5 shall be renumbered as 4.

The existing entry 6 shall be renumbered as 5.

Add the following entries thereunder:

“6. Central Circle IX, Madras.”

This notification shall take effect from the 1st August, 1967.

[No. 54 (F. No. 55/90/67-IT-A.II).]

A. RAGHAVENDRA RAO, Under Secy.

COLLECTORATE OF CUSTOMS AND CENTRAL EXCISE, GOA

CENTRAL EXCISE

Panjim, the 6th July, 1967

S.O. 2401.—In pursuance of rules 197 and 199 of the Central Excise Rules, 1944, the Collector of Customs & Central Excise, Goa, hereby empowers all Central Excise Officers of and above the rank of Sub-Inspector of Central Excise in the Collectorate of Customs & Central Excise, Goa, who are in Central Excise Uniform or who possess an identity card issued to them by an Officer not inferior in rank to an Assistant Collector of Central Excise, to exercise within their respective jurisdiction the powers under the said rules.

[No. 1/1967.]

S.O. 2402.—In pursuance of rule 200 of the Central Excise Rules, 1944, the Collector of Customs & Central Excise, Goa, hereby empowers all Central Excise Officers of and above the rank of Sub-Inspector of Central Excise in the Collectorate of Customs & Central Excise, Goa, who are in Central Excise Uniform or who possess cards showing their identity, to exercise within their respective jurisdiction the powers under the said rule:

Provided that the power to search under the said rule shall be exercised by Sub-Inspectors of Central Excise only in relation to unmanufactured products.

[No. 2/1967.]

M. C. DAS, Collector.

CENTRAL BOARD OF EXCISE AND CUSTOMS

CUSTOMS

New Delhi, the 22nd July 1967

S.O. 2403.—In pursuance of the notification No. 34/F. No. 22/7/66-Cus. IV, dated the 1st April 1967, the Central Board of Excise and Customs hereby empowers the following Superintendents of Central Excise (who are also Superintendents in charge of Customs) to exercise the powers of an Assistant Collector of Customs under clause (c) of sub-section (1) of section 142 of the Customs Act, 1962 (52 of 1962), namely:—

- | | |
|--|---|
| 1. Superintendent of Central Excise, Ranaghat Circle; | } Under the Collector of Customs and Central Excise, West Bengal, Calcutta. |
| 2. Superintendent of Central Excise, Petrapole Circle; | |

- | | |
|--|---|
| 3. Superintendent of Central Excise, Cooch Behar Circle; | } Under the Collector of Customs and Central Excise, West Bengal, Calcutta. |
| 4. Superintendent of Central Excise, Raiganj Circle; | |
| 5. Superintendent of Central Excise under the Collector of Customs and Central Excise, Assam, Manipur and Tripura. | |

[No. 75/F. 22/7/66-Cus.IV.]

D. N. LAL, Secy.

MINISTRY OF TOURISM AND CIVIL AVIATION*New Delhi, the 11th July 1967*

S.O. 2404.—In exercise of the powers conferred by section 4 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints, with immediate effect, Shri K. T. Satarawala, General Manager, Indian Airlines, as a Member of the Indian Airlines Corporation and Air-India Corporation vice Shri A. S. Bam, resigned.

[No. 3-AC(12)/67-Pt.]

T. ARUMUGHAM, Dy. Secy.

MINISTRY OF HEALTH AND FAMILY PLANNING*New Delhi, the 13th July 1967*

S.O. 2405.—In exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), the Central Government, after consultation with the Drugs Technical Advisory Board, hereby makes the following rules further to amend the Drugs and Cosmetics Rules, 1945, the same having been previously published as required by the said sections, namely:—

1. These rules may be called the Drugs and Cosmetics (Second Amendment) Rules, 1967.

2. In the Drugs and Cosmetics Rules, 1945, in Schedule K, after entry 17, the following entry shall be inserted, namely:—

Class of Drugs	Extent and conditions of exemption.
"18. Clinical thermometers manufactured in India.	All the provisions of Chapter IV of the Act and the rules thereunder subject to the condition that the Clinical thermometers bear the Indian Standards Institution Certification Mark specified by the Indian Standards Institution and comply with the provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulations, 1955."

[No. F.1-15/65-D.]

AMAR NATH VARMA, Under Secy.

(Department of Health)

ORDER

New Delhi, the 11th July 1967

S.O. 2406.—Whereas the Government of India in the late Ministry of Health has by notification No. 16-17/60-MI, dated the 2nd February, 1961, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian

Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. (College of Medical Evangelists, Los Angeles, California, U.S.A.), for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period commencing from 4th June, 1966 upto the 28th February, 1968, or so long as Dr. John B. Oliver who possesses the said qualification, continues to work in the Giffard Memorial Hospital of Seventh-Day Adventists, Nuzvid Krishna District, Andhra Pradesh to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. John B. Oliver shall be limited.

[No. F.19-19/67-MPT.]

V. K. SAMANTROY, Under Secy.

MINISTRY OF COMMERCE

(Office of the Deputy Chief Controller of Imports and Exports)

ORDERS

Kanpur, the 8th June 1967

S.O. 2407.—Whereas Messrs Popular Chemicals, Pratap Pura, Agra or any bank or any other person have not come forward furnishing sufficient cause against Notice No. E-33/AM-67/Spl.L/Kan/305 dated 20th May, 1967 proposing to cancel licence No. P/SS/1573118 dated 30th September 1966 for the import of Citric Acid and Tartaric Acid for Rs. 63,600/- granted to said M/s. Popular Chemicals, Pratap Pura Agra by the Deputy Chief Controller of Imports and Exports, Kanpur, Government of India in the Ministry of Commerce in exercise of powers conferred by the clause 9 of the Import (Control) Order, 1955 hereby cancel the said licence No. 1573118 dated 30th September 1966 issued to M/s. Popular Chemicals, Pratap Pura, Agra.

[No. E-33/AM-67/SPL/KAN.]

S.O. 2408.—Whereas Messrs Ajanta Perfumery Works, Moh. Kayasthan, Saharanpur or any bank or any other person have not come forward furnishing sufficient cause against Notice No. E-33/AM-67/Spl.L/Kan/304 dated 20th May, 1967 proposing to cancel licence No. P/SS/1572925 dated 30th September 1966 for the import of Aromatic Chemicals and Natural Essential Oils of permissible types for Rs. 81,100/- granted to said M/s. Ajanta Perfumery Works, Moh. Kayasthan, Saharanpur by the Deputy Chief Controller of Imports & Exports, Kanpur, Government of India, in the Ministry of Commerce in exercise of powers conferred by the Clause 9 of the Import (Control) Order 1955 hereby cancel the said licence No. 1572925 dated 30th September 1966 issued to M/s. Ajanta Perfumery Works, Moh. Kayasthan, Saharanpur.

[No. E-33/AM-67/SPL/L/KAN.]

SARDUL SINGH,

Deputy Chief Controller of Imports & Exports

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 23rd June 1967

S.O. 2409.—In exercise of the powers conferred by Clause 9 of the Import Control Order, 1955, dated 7-12-1955, as amended, the undersigned hereby cancels the Customs Purposes Copy of the Import Licence No. 978147/FE/62/HQ/CG-IV, dated 20-7-63, for Rs. 58,22,103/- (Rs. fifty eight lakhs twenty two thousand one hundred and three only) issued to M/s. Formica India Ltd., 9, Wallace Street Bombay-1. The licence in question was registered with Bombay Customs House and was utilised for Rs. 37,39,745/- (Rs. thirty seven lakhs thirty nine thousand seven hundred and forty five only).

The reason for the cancellation is that the Customs Purposes Copy of the licence has been lost/misplaced by the licensee who has requested for the issue of a duplicate licence in lieu thereof.

[No. 2b(75)/62-63/CG-IV/456.]

H. R. MOHISINI, Dy. Chief Controller.
for Chief Controller

**(Office of the Jt. Chief Controller of Imports & Exports)
(Central Licensing Area)**

ORDER

New Delhi, the 29th June 1967

S.O. 2410.—Whereas Messrs. Singh Metal & Engineering Works, S-17/79-A, Nadeshar, Varanasi Cantt., Varanasi or any bank or any other person have not come forward furnishing sufficient cause, against Notice No. JCCI/(CLA)/S-3/66/1782 dated 15-11-66 proposing to cancel licence(s) No. P/SS/1578023/C/XX/20/C/D/19-20 dated 26-2-65 for the imports of German Silver Scrap for Rs. 855 granted to said M/s. Singh Metal & Engineering Works by the Joint Chief Controller of Imports & Exports, (Central Licensing Area), New Delhi, Govt. of India, in the Ministry of Commerce in exercise of the powers conferred by the Clause 9 of the Import (Control) Order, 1955, hereby cancel the said licence No. P/SS/1578023/C/XX/20/C/D/19-20 dated 26-2-65 issued to M/s. Singh Metal & Engineering Works, S-17/79-A, Nadeshar, Varanasi Cantt., Varanasi.

[No. S-3/66/CLA/ENF/1950.]

K. RAJARAMAN, Jt. Chief Controller.

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 10th July 1967

S.O. 2411.—Whereas licence No. G/ST/2378301/C/YG/24/C/H/24 for Rs. 31,71,540 only, for the import of 20 Crawler Tractors and Cable Control Tiltangled ozer and Standard Spare Parts, which had already landed at the Port of Calcutta, was issued to the State Trading Corporation of India Ltd., New Delhi, on 28th March 1967 by the Chief Controller of Imports and Exports, New Delhi.

And whereas, the State Trading Corporation of India Ltd., New Delhi, have not utilised the said licence for want of any letter of Authority;

And whereas, on their inability to utilise the said licence, the State Trading Corporation of India Ltd., New Delhi, have returned the same to the Office of the Chief Controller of Imports and Exports, New Delhi, for cancellation;

Now, I, the undersigned, in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, hereby cancel the licence No. G/ST/2378301/C/YG/24/C/H/24 dated the 28th March 1967, issued to the State Trading Corporation of India Ltd., New Delhi.

[No. RP/Yug.-35/63.64/RMC/630.]

P. C. VERMA,

Dy. Chief Controller of Imports & Exports.

ORDER

New Delhi, the 10th July 1967

S.O. 2412.—In partial modification of the Ministry of Commerce Order No. S.O. 3017 dated the 4th October 1966, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-Section (ii), dated the 4th October 1966, the Central Government hereby appoints Shri N. C. Ghosh, Assistant Cost Accounts Officer, Office of the Jute Commissioner, Calcutta, as Member-Secretary of the body of persons appointed to enquire into the affairs of the Bengal Jute Mills, Howrah and the Victory Jute Mills, Calcutta, in the place of Shri R. P. Brahma.

[No. F. 5(12)-Tex(D)/66.]

A. G. V. SUBRAHMANYAM, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, जूलाई 10, 1967

एन० प्रो० 2413.—भारत के असाधारण राजपत्र भाग 2, खण्ड 3, उप-खण्ड (2) दिनांक 4 अक्टूबर, 1966 में प्रकाशित वाणिज्य मंत्रालय के आदेश संख्या मं० प्रो० 3017 दिनांक 4 अक्टूबर, 1966 में आंशिक संशोधन करते हुए केन्द्रीय सरकार एन्ड द्वारा पदसन आयुक्त, कलकत्ता के कार्यालय में सहायक सागत लेखा अधिकारी श्री एन० सी० घोष को

बंगाल जूट मिल्स, हावड़ा और बिक्टरी जूट मिल्स, कलकत्ता के मामलों की जांच करने के लिए नियुक्त व्यक्तियों के निकाय में, श्री आर० पी० ब्रह्मा के स्थान पर, सदस्य-सचिव के रूप में नियुक्त करती है।

[सं० 5(12)-रेक्स (डी)/66]

ए० जी० वी० सुब्रह्मण्यम,

अवर सचिव, ।

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 11th July 1967

S.O. 2414.—M. P. Pathak, P.M.V. Polytechnic, Prem Nagar, Mathura was granted an import licence No. P/AU/1243251/C/EG/21/C/H/20 on 9th June 1965. He has applied for duplicate exchange control copy of the licence on the ground that the original exchange control copy of the licence has been lost/misplaced. It is further stated that the original licence was registered with the Customs House, Bombay and was partly utilized for Rs. 662 leaving a balance of Rs. 3,712.

In support of this contention, the applicant has filed an affidavit. I am satisfied that the original exchange control copy of the licence No. P/AU/1243251/C/EG/21/C/H/20 dated 9th June 1965 has been lost/misplaced and direct that a duplicate exchange control copy should be issued to the applicant. The original exchange control copy of the licence is cancelled.

[No. RP(GDR. 38)/65-66/LI(A)/LV(A)608.]

S. K. USMANI,

Deputy Chief Controller of Imports & Exports.

ORDER

IMPORT TRADE CONTROL

New Delhi, the 14th July 1967

Open General Licence no. IV—Amendment of

S.O. 2415.—In exercise of the powers conferred by Section 3 of Imports and Exports Control Act, 1947 (18 of 1947), the Central Government hereby makes the following further amendment, to the Open General Licence No. IV, published in the Government of India, late Ministry of Commerce and Industry, Import Trade Control Order No. 2/61 dated the 28th February, 1961 as subsequently amended, namely:—

In the said licence—

- (a) the value limits of Rs. 250 wherever occurring, shall be substituted by Rs. 400;
- (b) the value limits of Rs. 500, wherever occurring, shall be substituted by Rs. 800;
- (c) item No. (iii) Sub-clause (B) shall be substituted by the following, namely:—

“(B) are supplied free of charge in replacement of goods previously imported which have been found to be defective or otherwise unfit for use, the defect having been noticed and brought to the notice of the Customs authorities before the clearance of the goods from the Customs House.

Provided that—

- (1) the shipments of such goods are made within six months from the date of clearance of the previously imported goods from the Customs House or within the guarantee period, in the case of machines or parts thereof, if such period is more than six months, and the following documents are produced before the Customs authorities:—

- (a) original letter from the foreign suppliers stating that such goods are being supplied free of cost;

- (b) a survey certificate issued by Lloyds Agents or any other authorised insurance surveyors or, in the case of machines or parts thereof, a certificate from the qualified engineer, to the effect that the goods were actually received in defective condition and required replacement; and
 - (c) in the case of machine or parts thereof, evidence showing the period of guarantee given by the foreign manufacturer or consignor.
- [Issued from file No. IPC (Hand book) 1/67].

[No. 8/67.]

P. D. KASBEKAR,

Chief Controller of Imports and Exports.

MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 5th July, 1967

S.O.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee(s) per unit for various products, details of which are given in the schedule hereinafter annexed, have been determined and the fee(s) shall come into force with effect from 1st July 1967:

THE SCHEDULE

Serial No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
1	2	3	4	5
1	Cement concrete flooring tiles.	IS : 1237-1959 Specification for cement concrete flooring tiles.	10 square metres	50 Paise
2	Portland-pozzolana cement	IS : 1489-1962 Specification for port-land pozzolana cement.	1,000 tonnes	Rs. 12.00

[No. MD/182]

New Delhi, the 6th July 1967

S.O. 2417—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 16 to 30 June 1967.

THE SCHEDULE

Sl. NO. and Title of the Indian Standards No.	No. and Title of the Indian Standards or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(4)
1 IS:8—1967 Specification for high heat duty fireclay refractories (<i>third revision</i>)	IS:8-1958 Specification for high heat duty fireclay refractories group 'B' (<i>second revision</i>)	This standard covers the requirements for high heat duty burnt fireclay refractories for general purposes (Price Rs. 2.00).
2 IS:691—1966 Specification for rubber-insulated flexible trailing cables for use in coal mines	..	<p>This standard covers the requirements for the following types of trailing cables and pliable armoured flexible cables for electrical equipment used in coal mines :</p> <p>(a) Flexible trailing cables for use with coal cutters and silmilar portable machines, suitable for working voltage not exceeding 650 volts to earth ;</p> <p>(b) Pliable armoured flexible cables for use with conveyors, loaders and similar transportable machines suitable for working voltage not exceeding 650 volts to earth ;</p> <p>(c) Flexible trailing cables for use with hand-held portable machine, such as drills and picks, suitable for working voltage not exceeding 250 volts to earth ;</p> <p>(d) Pliable armoured flexible cables for use with remote control circuits, suitable for working voltage not exceeding 250 volts to earth ; and</p> <p>(e) Pliable armoured flexible cables for coalface lighting, for working voltage not exceeding 250 volts to earth.</p> <p>(Price Rs. 8.00)</p>

- | | | |
|--|---|---|
| 3 IS:1026—1966 Specification for flexible trailing cables for use in quarries and metalliferous mines | | <p>This standard covers the requirements for the following types of cables :</p> <p>(a) Pliable armoured flexible cables suitable for use for working voltages of 650 volts to earth ;</p> <p>(b) Pliable armoured flexible cables for earthed 3-phase system suitable for working voltages of 3 300 volts between conductors : and</p> <p>(c) Pliable armoured flexible cables for earthed 3-phase systems, suitable for working voltages of 6 600 volts between conductors. (Price Rs. Rs. 7.00).</p> |
| 4 IS:1173-1967 Specification for hot rolled and slit steel tee bars (<i>first revision</i>). | IS:1173-1957 Specification for rolled steel sections, tee bars. | This standard lays down the nominal dimensions, weight and basic geometrical properties of hot rolled and slit steel tee bars (Price Rs. 2.50). |
| 5 IS:1231-1967 Dimensions of three-phase foot-mounted induction motors (<i>second revision</i>) | IS:1231-1962 Dimensions of three-phase foot-mounted induction motors (<i>revised</i>) | This standard specifies the dimensions for footmounted three-phase 50 cycles ac squirrel cage motors of axle heights ranging from 63 mm to 315 mm, intended for general purpose applications and having screen protected or drip proof or both or totally enclosed construction. This standard also specifies the standard nominal output for different frame sizes on the basis of class 'A' and class 'E' insulation and continuous rating in accordance with IS:325-1961. (Price Rs. 4.00) |
| 6 IS:1522—1967 Specification for fireclay glass tank blocks (<i>first revision</i>) | IS:1522-1960 Specification for fireclay refractories for glass melting tank furnaces. | This standard covers the requirements for fireclay glass tank blocks (Price Rs. 2.00). |
| 7 IS:1885 (Part III/Sec 5)—1966 Electrotechnical vocabulary Part III acoustics Section 5 speech and hearing. | .. | This standard covers terms relating to speech and hearing (Price Rs. 4.00). |
| 8 IS:1980—1967 Specification for ceramic dielectric capacitors, type I (<i>first revision</i>). | IS:1980-1961 Specification for ceramic dielectric capacitors, type I. | This standard prescribes the requirements and methods of tests for judging the electrical, mechanical and climatic properties of ceramic dielectric capacitors, intended for use in electronic and telecommunication equipment (Price Rs. 8.00). |
| 9 IS:2488 (Part I)-1966 Methods of sampling and test for industrial effluents, part I | .. | <p>This standard covers the methods of sampling and test for industrial effluents. In this part are covered methods for sampling and methods of test for appearance, colour, odour, total suspended solids, particle size of suspended solids, pH value, temperature, dissolved oxygen, biochemical oxygen demand, oils and grease, phenolic compounds, cyanides and sulphides (Price Rs. 8.50).</p> |

(1)	(2)	(3)	(4)
10 IS:2681—1966 Specification for non-ferrous metal sliding door bolts for use with padlocks (<i>first revision</i>).	IS:2681-2964 Specification for non-ferrous metal sliding door bolts for use with padlocks.	..	This standard lays down the requirements for non-ferrous metal sliding door bolts, commonly used in general building construction for locking doors, gates, etc. with padlocks (Price Rs. 2.50).
11 IS:3067—1966 Code of practice for general design details and preparatory work for damp-proofing and waterproofing of building	This standard covers the essential details of design for damp-proofing and waterproofing of buildings and also the preparatory work, such as dewatering, surface preparation and other related works necessary before application of the actual treatment (Price Rs. 5.50).
12 IS:3455—1966 Tolerances for plain limit gauges	This standard prescribes the tolerances for simple forms of limit gauges such as cylindrical plug and ring gauges and snap gauges used by producers and suppliers, of gauging dimensions from 1 to 500 mm. It also prescribes the method of disposition of the above tolerances (Price Rs. 5.50).
13 IS:3617—1966 Specification for gents' worsted pull-overs one-piece (interlock-knitted)	This standard prescribes the constructional details and other particulars of gents' worsted pullovers knitted in interlock stitches, one-piece, white, dyed or mixtures shades (Price Rs. 3.00).
14 IS:3716—1966 Application guide for insulation co-ordination-equipment located in exposed situations	This application guide covers the recommended practices for the co-ordination of the insulation of electrical equipment located in electrically exposed situations (Price Rs. 8.50).
15 IS:3869 (Part II)-1966 Shortwall coal cutting machines. Part II recommendations on selection the of basic parameters of the cutting system and the calculation of power consumption.	This standard lays down the recommendations on the selection of the cutting chain and haulage speeds, selection of the lacing pattern and the method of calculation of the power consumption of shortwall coal cutting machines (Price Rs. 4.50).
16 IS:389 (Part I):1967 Specification for instruments, plastic filling, dental Part I designation numbers 1, 3, 4, 5 and 6.	This standard specifies the requirements of plastic filling dental instruments of designation numbers 1, 3, 4, 5 and 6 (Price Rs. 3.50).
17 IS:3945—1966 Specification for steel for naval purposes.	This standard covers the requirements of two grades of steel plates and sections, namely, grade A-N and grade B-N for naval purposes of thicknesses up to 50 mm (Price Rs. 3.50).

- 18 IS:3948—1967 Specification for calibrated high tensile steel chain (round link) for chain conveyors and coal ploughs used in mines.
- 19 IS:3950-1966 Specification for surface boxes for sluice valves.
- 20 IS:3951-1967 Specification for structural hollow clay floor tiles.
- 21 IS:3952-1967 Specification for burnt clay hollow blocks for walls and partitions.
- 22 IS:3956-1967 Dimensions of spools for magnetic tapes for sound recording and reproduction
- 23 IS:3973-1967 Code of practice for the selection, installation and maintenance of wire ropes.
- 24 IS:3974-1967 Specification for bifurcated rivets for general purposes.
- 25 IS:3978-1967 Code of practice for manufacture of burnt clay Mangalore pattern roofing tiles

This standard covers the requirements of calibrated high tensile steel chain (round link) for use with machines and equipment in mining, such as :

- (a) conveyors flexible and rigid, of the chain type; chain belt conveyors, gate and end stage loaders,
- (b) coal ploughs and coal cutters ; and
- (c) bucket elevators. (Price Rs. 5.00).

This standard lays down the requirements for cast iron surface boxes for use with sluice valves with valve caps conforming to IS:780-E-1966 and IS:2906-1964 for use on service pipes and water mains (Price Rs. 2.00)

This standard covers the dimensions, quality and strength requirements of structural hollow clay floor tiles made from burnt clay, having perforations parallel to their length, and intended for use in structural floors, roofs and analogous construction (Price Rs. 2.00).

This standard covers the dimensions, quality and strength requirements of hollow blocks made from burnt clay, having perforations parallel to their length and intended for use in load bearing internal walls and partitions (Price Rs. 2.00).

This standard specifies dimensions and tolerances of spools for magnetic tapes for sound recording and reproduction, essential for interchangeability (Price Rs. 2.00).

This code of practice relates to the selection, installation maintenance and usage of common types of round strand wire ropes (Price Rs. 9.50).

This standard prescribes the requirements for two types of bifurcated rivets given below :

- (a) Oval-head bifurcated rivet, and
- (b) 120° -countersunk head bifurcated rivet.

(Price Rs. 2.50).

This standard covers the selection of raw material, moulding and burning of burnt clay roofing tiles with specific reference to machine pressed inter-locking clay roofing tiles of the Mangalore pattern (Price Rs. 4.00).

(1)	(2)	(3)	(4)
26	IS:3979-1967 Code of practice for testing of marine diesel engines of 800 rpm and above.	..	This code applies to testing of diesel engines for marine propulsion and auxiliary drive having a continuous rating at 800 rev/min and above (Price Rs. 7.50).
27	IS:3981-1967 Specification for sigries.	..	This standard covers the requirements of different types of SIGRIES for domestic purposes (Price Rs. 3.50).
28	IS:3984-1967 Specification for DW-flour bags	..	This standard prescribes the constructional details and other particulars of DW (double-warp) flour bags made of jute (Price Rs. 2.50).
29	IS:3991-1967 Specification for bowls, lotion	..	This standard covers the requirements of stainless steel, enamelled iron, glass and porcelain lotion bowls (Price Rs. 5.00).
30	IS:3992-1967 Specification for trays, kidney	..	This standard covers the requirements of stainless steel and enamelled iron kidney trays (Price Rs. 4.00).
31	IS:3993-1967 Specification for trays, instrument	..	This standard covers the requirements of stainless steel, enamelled iron and glass instrument trays (Price Rs. 4.00).
32	IS:3994-1967 Specification for bowls, wash	..	This standard covers the requirements of stainless steel, enamelled iron and aluminium wash bowls (Price Rs. 4.00).
33	IS:3995-1967 Specification for mugs	..	This standard covers the requirements of stainless steel, enamelled iron and aluminium mugs (Price Rs. 5.00).
34	IS:3996-1967 Specification for spittoons	..	This standard covers the requirements of stainless steel, and enamelled iron spittoons (Price Rs. 3.50).
35	IS:3999-1967 Specification for casein based aqueous pigments and finishes.]	..	This standard prescribes the requirements, methods of sampling and test for casein based aqueous pigment finishes and casein based binders with or without dispersed pigments for leather (Price Rs. 3.50).
36	IS:4001-1967 Specification for mine tubs	..	This standard covers the basic requirements and dimensions of mine tubs of cubic capacity of 1, 1.1 and 1.25 m ³ and maximum carrying capacity of 1.50, 1.65 and 1.88 tonnes respectively (Price Rs. 5.00).
37	IS:4019-1967 Specification for firm-joint dividers	..	This standard covers the requirements for firm-joint dividers of 75, 100, 150, 200 and 300 mm nominal sizes (Price Rs. 2.00).

38	IS:4026-1967 Specification for aluminium ingots (EC grade).	..	This standard covers the requirements of EC grade ingot used for remelting purposes (Price Rs. 2.00).
39	IS:4029-1967 Guide for testing three-phase induction motors.	..	This standard prescribes methods for conducting and reporting the tests for three-phase induction motors (Price Rs. 6.50).
40	IS:4040-1967 Specification for solid-drilled tubular and semi-tubular rivets.	..	This standard prescribes requirements for solid-drilled tubular and semi-tubular rivets of the following types: (a) Oval head, and (b) 120° countersunk head. (Price Rs. 2.50).
41	IS:4052-1967 Specification for spring calipers	..	This standard covers the requirements for inside and outside spring calipers of sizes 75, 100, 150, 200, 250 and 300 mm (Price Rs. 2.50).
42	IS:4053-1967 Specification for knitted puttees, dyed.	..	This standard prescribes the constructional details and other particulars of knitted puttees, dyed. (Price Rs. 3.50).
43	IS:4058-1967 Accuracy requirements for coarse quality low speed gears.	..	This standard covers the manufacturing tolerances of machine of cut coarse quality cylindrical gears of grades 10, 11 and 12 having involute profiles and modified involute profiles of straight and inclined teeth and pitch velocity up to 1 m/s. (Price Rs. 2.50).
44	IS:4065-1967 Specification for watering cans	..	This standard covers the materials, dimensions and manufacturing requirements of watering cans used for watering flower beds and flower pots (Price Rs. 2.00)
45	IS:4066-1967 Specification for metal hooks, clips and eyes.	..	This standard covers the requirements of metal hooks, clips and eyes (Price Rs. 2.50).
46	IS:4069-1967 Specification for urinometer	..	This standard lays down the requirements and methods of test for urinometers used in pathological work (Price Rs. 2.50)

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2 and (iv) 117/418-B Sarvodya Nagar, Kanpur.

[No. MD/132]

S.O. 2418—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

THE SCHEDULE

Serial No. and Title of the Indian Standard amended No.	No. & Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the amendment	Date from which the amendment shall have effect
1	2	3	4	5
1 IS : 806-1957 Code of practice for use of steel tubes in general building construction.	S.O. 1349 dated 12 July 1958.	No. 4 May 1967	Clauses 6.3 and 6.3.1i have been substituted by new ones.	31 May 1967.
2 IS : 1270-1965 Specification for metric steeltape measures (winding type) (<i>Revised</i>).	S.O. 2042 dated 26 June 1965.	No. 1 May 1967	Informal table under clause 4.4 and clause 4.5 have been amended	31 May 1967.
3 IS : 1322-1965 Specification for bitumen felts for water-proofing and damp-proofing (<i>Revised</i>).	S.O. 3938 dated 25 Dec. 1965	No. 2 May 1967	Page 5, clause 3.1.2.—Substitute 'IS : 2818-1964' for 'IS:2435-1963'.	26 June 1967.
4 IS : 1732-1961 Dimensions for round and square steel bars for structural and general engineering purposes.	S.O. 1100 dated 14 April 1962.	No. 1 May 1967	Table 1 has been amended	31 May 1967.
5 IS : 1965-1961 Specification for bleaching earths of Indian origin used for decolorizing vegetable oils.	S.O. 1267 dated 28 April 1962.	No. 1 May 1967	A new item No. VIII has been added after VII in Table 1.	31 May 1967.
6 IS : 2208-1962 Specification for HRC cartridge fuse-links up to 650 V.	S.O. 1682 dated 22 June 1963.	No. 2 May 1967	(i) Clauses 2.1, 4.3.1, 6.1.5 and 6.4.2.1(b) have been amended. (ii) Figure 1 and clause 6.1.2 have been substituted by new ones. (iii) 'Contents page' has been added after the committee composition.	21 June 1967
7 IS : 3049-1965 Specification for vulcanised fibre silver cans for spinning mills,	S.O. 2820 dated 11 September 1965.	No. 2 May 1967	Table 2 has been amended.	

8 IS : 3338-1965 Sizes of correspondence envelopes	S.O. 1081 dated 9 April 1966.	No. 1 May 1967	(i) A new clause 0.3 has been added and existing clause 0.3 renumbered as 0.4; and (ii) Appendix A has been added after clause 4.3.2.	} 31 May 1967.
9 IS : 3588-1966 Specification for electric axial flow fans	S.O. 241 dated 21 January, 1967.	No. 1 May 1967	Table 2 has been amended.	

Copies of these Amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhawan, 9 Bhadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathymurthi Bhavan, 54, General Patters Road, Madras-2 and (iv) 117/418-B Sarvodaya Nagar, Kanpur.

[No. MD/13: 5]
(Dr.) SADGOPAL,
Deputy Director General

OFFICE OF THE DIRECTOR-GENERAL OF CIVIL AVIATION*New Delhi, the 15th July 1967*

S.O. 2419.—In pursuance of sub-rules (1) and (2) of rule 78A of the Aircraft Rules, 1937, the Director General of Civil Aviation hereby notifies the area specified in column 1 of the Table below for the purposes of the said sub-rule (1) and specifies the amount mentioned in the corresponding entry in column 2 of the said Table as the amount on the payment of which an admission ticket may be obtained for entry into the said area.

THE TABLE

Description of area	Amount payable for each admission Ticket
1	2
International & domestic passenger booking halls and lounges and the enclosures appertaining thereto in the Government Aerodrome at Palam (Delhi)	50 paise

2. This notification shall come into force with effect from the 16th August, 1967.

[No. 15-32/66-S.I.]

B. M. GUPTA,

Director-General of Civil Aviation.

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 14th July, 1967.

S.O. 2420.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Post and Telegraphs, hereby specifies the 1st August, 1967 as the date on which the Measured Rate System will be introduced in Gaya Telephone Exchange.

[No. 5-33/67-PHB.]

S.O. 2421.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 15th August, 1967 as the date on which the Measured Rate System will be introduced in Masulipatnam Telephone Exchange.

[No. 5-36/67-PHB.]

D. R. BAHL,

Assistant Director General (PHB).

संचार विभाग

(डाक-सार बोर्ड)

नई दिल्ली, 14 जुलाई, 1967

एस० ओ० 2422——ध्याई आदेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-सार महानिदेशक ने गया टेलीफोन केंद्र में 1-8-67 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-33/67 पी० एच० बी०]

एस० नो० 2423—स्वार्ड आदेश क्रमसंख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किए गए 1951 के भारतीय नार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने मूलतः टेलीफोन केंद्र में 15-8-67 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-36/67-पी०एच०बी०]

डी० आर० ब्रह्म,

सहायक महानिदेशक (पी० एच० बी०)

(P. & T. Board)

New Deihi, the 15th July 1967

S.O. 2424.—In exercise of the powers conferred by section 9 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. These rules may be called the Indian Post Office (Fifth Amendment) Rules, 1967.

2. In rule 30 of the Indian Post Office Rules, 1933,—

(1) in sub-rule (1),—

(a) for the words and figure “Newspapers as defined in section 9 of the Act shall be transmitted by post as registered newspapers provided that they comply with the following conditions:—”, the following shall be substituted, namely:—

“A newspaper as defined in section 9 of the Act and complying with the conditions specified below shall be transmitted by post as registered newspaper from the place of publication thereof and may also be so transmitted from any other place with the permission in writing of the Postmaster-General or Officer exercising the powers of the Postmaster-General of the Postal Circle in which such other place is situated.

Conditions.”;

(b) in condition (a), for the words “the Postal Circle in which it is published”, the words “the Postal Circle in which it is published or, as the case may be, posted” shall be substituted;

(c) in condition (c), for the words “the registration number which has been assigned to it by the Postmaster-General or other officer”, the words “the registration number or, as the case may be, the registration numbers which has or have been assigned to it by the Postmaster-General or other officer or Postmasters-General or other officers” shall be substituted;

(d) in condition (d),—

(i) for the words “at the place of publication by its proprietor, manager or publisher”, the words “at the place of publication or, as the case may be, at the place permitted under this sub-rule by its proprietor, manager or publisher or by a duly authorised agent of such proprietor, manager or publisher” shall be substituted;

(ii) for the words “proprietor, manager or publisher” where they occur last, the words “proprietor, manager, publisher or agent” shall be substituted;

(e) in condition (h), for the words “registration number”, the words “registration number or, as the case may be, registration numbers” shall be substituted;

(2) in sub-rule (2), for the words, brackets, letter and figure “first registration of a newspaper for the purposes of clause (a) of sub-rule (1)”, the words, brackets and letter “first registration of a newspaper for the purposes of clause (a) of sub-rule (1) in a Postal Circle referred to therein” shall be substituted;

(3) in sub-rule (5), for the words “in which the newspaper is published”, the words “in which the newspaper is published or, as the case may be, posted or sought to be posted” shall be substituted.

[No. 5/7/67-CL.]

DALJINDER SINGH,
Director, Postal Technical.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION**(Department of Labour and Employment)***New Delhi, the 11th July 1967*

S.O. 2425.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Patmohana Colliery, P.O. Sitarampur, District Burdwan and their workmen, which was received by the Central Government on the 6th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA**REFERENCE No. 73 of 1966****PARTIES:**

Employers in relation to the Patmohana Colliery,

AND

Their workmen.

PRESENT:Shri S. K. Sen—*Presiding Officer.***APPEARANCES:***On behalf of Employers—Shri M. P. Baliase.**On behalf of Workmen—Shri Mahadeo Pathak.***STATE:** West Bengal**INDUSTRY:** Coal Mines.**AWARD**

By Order No. 6/99/65-LRII dated 4th December 1965 the Central Government referred for adjudication an industrial dispute between the employers in relation to the Patmohana Colliery P.O. Sitarampur, Dist. Burdwan and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the action of the management of Patmohana Colliery in dismissing Shri Chandrika Kurmi, Underground Haulage Khalasi with effect from the 22nd February, 1965 is legal and justified? If not, to what relief is he entitled?"

2. Chandrika Kurmi was working as an Underground Haulage Khalasi at Patmohana colliery. He was served with charge-sheet on 8th February, 1965, the charge being that on 6th February, 1965 when he was on duty at the 3rd shift or night shift from 12 midnight to 8 A.M. he left the place of work an hour and a half earlier i.e. at 6.30 A.M. with the result that some of the miners did not get their tubs in time and thereby the work in the mine was disorganised. Chandrika Kurmi in his reply dated 16th February 1965 stated that he did not leave his place of duty before the end of the shift and that the manager had been mis-informed about the matter. The reply was not considered satisfactory and an enquiry was held by Sri M. L. Mall, Labour Welfare Officer on 18th February 1965 and on 20th February 1965. The workman Chandrika Kurmi attended the enquiry on 18th February 1965 but he did not attend on 20th February 1965 to which date the enquiry had been adjourned, although the notice of the adjourned enquiry was duly served on him. The enquiring officer reported that the charge had been proved and thereupon the workman was dismissed by an order dated 22nd February 1965 with immediate effect.

3. The Asansol Coal Field Workers Union was started by Shri Mahadeo Pathak in the beginning of February 1965, and he also organised a branch of the union at Patmohana colliery about the middle of February in 1965. Chandrika Kurmi became a member of the union on 17th February 1965, vide the register of members which was marked Ext. 1 in Reference case No. 77 of 1966 and was treated along with the evidence of Shri Mahadeo Pathak as common evidence for the three cases relating to Patmohana colliery, namely 73, 77 and 94 of 1966. Sri Mahadeo Pathak took up the case of Chandrika Kurmi and also other discharged and dismissed workmen of Patmohana colliery before the Conciliation Officer, Central, Neamatpur. As there was no settlement before the Conciliation Officer, the dispute has been referred to adjudication.

4. In the written statement filed by the union on behalf of the workman, it has been repeated that Chandrika Kurmi did not leave his place of duty an hour and

½ half earlier, leaving the engine unattended, but that he left only after his shift ended, and that there was no loss involved to the company, and that a false case had been started as the company wanted to get rid of a large number of workmen as the working in a section of the mine had been suspended by an order of the Mine Inspector. The union also alleged that the enquiry was not properly held.

5. In their written statement, the management claimed that the dispute was an individual dispute and the reference was therefore invalid. The management challenged the authority of the Asansol Coal Field Workers Union, a newly started union, to represent the case of the workmen. On the merits, the management's case was that for a misconduct, chargesheet had been served against Chandrika Kurmi, and that the enquiry had been properly held in accordance with the principles of natural justice, and that on the basis of the findings of the enquiring officer, the order of dismissal had been passed by the authorities and the order was justified.

6. As regards the authority of the union to represent the workman, Sri M. P. Baliae appearing on behalf of the management has urged that the register of members marked Ext. 1 in Reference No. 77 of 1966 is not reliable and the entry as to the dates when the individual workmen became members of the union could not be accepted as true, even though in one part of the register there appears the signature of an Inspector of Trade Unions. It should be mentioned that the union was registered by the Registrar of Trade Unions only in June 1965, and so in February 1965 the union was not a registered union, and the first complaint made by Sri Mahadeo Pathak on behalf of the workmen was rejected by the Conciliation Officer on the ground that the union was not registered. After obtaining registration of the union, Sri Mahadeo Pathak renewed the complaint in this case and in other cases, and thereafter the Conciliation Officer dealt with the cases. But even though the union was registered in June 1965, I find no reason to reject the evidence produced by the union to show that the workman Chandrika Kurmi became a member on 17th February 1965. The register of members shows that a good number of workmen, though not a majority of the workmen at Patmohana colliery, became members of the new union. Accordingly I must hold that the union is entitled to represent the case of the workman, Chandrika Kurmi. Moreover, the reference was made on 4th December 1965, and by Sec. 2A of the Industrial Disputes Act which received the assent of the President on 19th November 1965, any dispute arising out of discharge or dismissal or retrenchment or termination of service of an individual workman is also deemed to be an industrial dispute notwithstanding that no other workman nor any union is a party to the dispute. If the reference had been made on 4th December 1965 with Chandrika Kurmi alone as a party, the case would have been maintainable. The reference with the Asansol Coal Field Workers Union as party must be regarded as a valid reference.

7. On the merits, however, I do not find that the workman has any case. It is true that from the date of the reply which he submitted on 16th February 1965, he has been consistently stating that he did not leave his place of work before the end of the shift but the enquiring officer held the enquiry conscientiously and found the charge proved. His evidence is that on 18th February 1965 when he first held the enquiry, Chandrika Kurmi appeared and that in his statement he referred to the mining in charge as a person on whose statement he could rely, and said that he could not rely on the evidence of Ram Adhar Kurmi and Kauri Rajbhar who had been examined as witnesses for the management on 18th February 1965. The enquiring officer therefore adjourned the enquiry in order to enable him to examine the mining in charge and the overman of the shift at which Chandrika Kurmi had been working on 6th February 1965. This adjourned enquiry was held on 20th February 1965 and on that date the enquiring officer examined Sri Hari Ram Pandey, Munshi of the 3rd shift on 6th February 1965, Sri G. S. Mukherjee, Overman of the 3rd shift on 6th February 1965, Sri Parikshan Singh, Mining Sirdar and Sri Ramoon Gwala, Fitter Mazdoor. On that day Chandrika Kurmi did not appear and the enquiry was held *ex-parte*. But Chandrika had been served with the notice, Ext. E informing him of the adjourned enquiry to be held on 20th February 1965. Ext. E1 is the peon's endorsement on a copy of the notice showing that Chandrika Kurmi took the notice but refused to sign on the office copy in token of receipt. Moreover, it appears from the record of the proceedings, Ext. D and D1 that on 18th February 1965 before the close of the enquiry the enquiring officer, Sri M. L. Mall, had informed Chandrika Kurmi that the adjourned enquiry would be held on 19th February 1965. It was only when he failed to appear on 19th February 1965 that the Inquiring officer adjourned the hearing to 20th February 1965 and sent the notice, Ext. E stating that the enquiry would be held on 20th February 1965. Chandrika Kurmi explained that in the third shift Parichand Singh was the Mining Sirdar and one Mahadev Singh was the overman and not the witnesses who were examined by the Inquiring officer on 20th February 1965, and

after the enquiry on 18th February 1965 he had gone to Parichand Singh and Mahadev Singh to request them to depose in his case, but they refused to come, saying that if they gave evidence they would have trouble with the company. This evidence, however, cannot be accepted and must be held to be false. The enquiring officer was trying to ascertain the truth by examining witnesses mentioned by Chandrika Kurmi and Chandrika had no business to stay away on the adjourned date of enquiry. The enquiring officer said that he also satisfied himself by reference to the attendance register of the 3rd shift. That attendance register has also been produced before the tribunal and marked Ext. J: Ext. J/1 is the entry relating to Chandrika Kurmi on 6th February 1965 in the 3rd shift. It appears that his hour of leaving the mine is noted as 6.30 A.M.; this supports the charge that he left an hour and a half earlier. Sri Mahadeo pathak challenged the entry in the attendance register and pointed out the figure against the total number of attendance, at the bottom of the page in which Chandrika Kurmi's name occurs, was erased and written a fresh. It is true that there is such erasure and re-writing against the figure of total number of attendance, but no erasure appears against the entry of hours of attendance of Chandrika Kurmi. In the circumstances, I cannot say that the enquiring officer was wrong in relying on the entries in this attendance register. Since the enquiry was properly held and the finding of the enquiring officer is supported by the evidence taken by him and the order of dismissal was based on that finding, I must hold that the order of dismissal was justified.

3. Accordingly, my award is that the action of the Patmohana colliery in dismissing Shri Chandrika Kurmi, Underground Haulage Khalasi with effect from 22nd February, 1965 was legal and justified, and the workman is not entitled to any relief.

[No. 6/99/65-LRII.]

(Sd.) S. K. SEN,

Presiding Officer.

Dated the 3rd July, 1967.

New Delhi, the 12th July 1967

S.O. 2426.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Ningha Colliery, Post Office Kalipahari, District Burdwan and their workmen, which was received by the Central Government on the 6th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 29 OF 1967

PARTIES:

Employers in relation to the Ningha Colliery,

AND

Their workmen.

PRESENT:

Shri S. K. Sen—Presiding Officer.

STATE: West Bengal

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/24/67-LRII, dated 17th April 1967, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Ningha Colliery, P.O. Kalipahari, Dist. Burdwan and their workmen represented by the General Secretary, Colliery Mazdoor Congress, Gorai Mansion, Asansol, arising out of the dismissal of Shri Baxis Singh, Heavy Tyndal, with effect from 6th December, 1966.

2. The Assistant Labour Commissioner (C), Asansol, before whom the conciliation proceedings were held submitted a failure report on 2nd February 1967. According to the case of the management before the Conciliation Officer, Baxis Singh entered into Engine House No. 4 Pit with a dagger in his hand on 22nd October 1966 and attacked Praduman Pandey, Lathe Helper and created a disturbance in the locality. Baxis Singh was chargesheeted for this misconduct and after enquiry in which he participated was found guilty and dismissed.

According to the case of the union on behalf of the workman the other workman concerned, i.e. Praduman Pandey was the aggressor and Baxis Singh was wrongly chargesheeted.

3. After the reference had been made the Colliery Mazdoor Congress filed a written statement on behalf of the workman which was received on 9th May, 1967. Therein the case taken by the union before the Conciliation Officer was repeated, namely that Praduman Pandey had made the attack and Baxis Singh had only defended himself and had been wrongly chargesheeted. On 18th May 1967, a written statement was received from the Manager, Ningha Colliery, stating that since the date of reference the matter had been amicably settled and Baxis Singh had been taken back in the service of the company and there was no further dispute. A letter purporting to be signed by Baxis Singh requesting that the case may be treated as closed was also enclosed with the written statement of the management. The union was informed by registered letter about this written statement of the management and a copy of the letter purporting to be written by the workman concerned was also sent to the union for comment if any. The union, however, has not submitted any comment and has not appeared before the tribunal in spite of the fact that a second letter was addressed to the General Secretary of the union. Accordingly, the contention of the management must be accepted as true.

Accordingly, I find that the dispute does not now exist and therefore there is no need for adjudication.

S. K. SEN,
Presiding Officer.

Dated,
1st July, 1967.

[No. 6/24/67-LR.II.]

New Delhi, the 13th July 1967

S.O. 2427.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Chinakuri 1 and 2 Pits Colliery of Messrs Bengal Coal Company Limited, Post Office Dishergarh, District Burdwan and their workmen, which was received by the Central Government on the 10th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 115 OF 1966

PARTIES:

Employers in relation to the Chinakuri 1 & 2 Pits Colliery.

AND

Their workmen.

PRESENT:

Shri S. K. Sen—*Presiding Officer*.

APPEARANCES:

On behalf of Employers—Shri D. Narsingh, Advocate.

On behalf of Workmen—Shri Nikhil Roy, Advocate.

STATE: West Bengal

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/24/66-LR.II, dated 13th July 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Chinakuri 1 and 2 Pits Colliery of M/s. Bengal Coal Company Limited, P.O. Dishergarh, Burdwan and their workmen arising out of the dismissal of Sri Harbans Singh, Tyndal Mazdoor.

2. Sri Harbans Singh was dismissed by an order dated 10th December 1965, the charge against him being that on 2nd November 1965 at about 10.30 a.m. he was found quarreling with the flour mill staff within the colliery premises when under the influence of liquor and when the Welfare Officer, Sri Berry, asked him to leave the place and go back to his quarters, he tried to assault the Welfare Officer with a piece of brick. The workman denied the charge but he was found guilty at the departmental enquiry. In the written statement filed on behalf of the union it was alleged that Harbans Singh was an active-member of the Colliery Mazdoor Union and that the Welfare Officer, Sri Berry had marked him out for victimisation and took advantage of a private quarrel which Harbans Singh had with the Chakkiwala who was not an employee of the company to initiate false

proceedings against the workman. The management in their written statement denied any intention of victimisation and alleged that because of the attempt by Harbans Singh to assault the Welfare Officer within the colliery area, the workmen had committed a misconduct for which he was proceeded against in accordance with the Standing Orders, and dismissed on the basis of the findings made at the domestic enquiry.

3. After the parties had filed their written statements, the case was heard in part on 3rd June 1967 and thereafter the hearing was adjourned to 4th July, 1967. On the adjourned date of hearing, the parties appeared and filed a petition of compromise. Under the terms of petition of compromise the workman has agreed to accept Rs. 650 and given up his claim to reinstatement. Apart from the sum of Rs. 650 which is to be paid within 15 days from 4th July 1967, the management is also to pay to the workman any other amount legally due to the workman and the workman is to vacate the company's quarters in the colliery within a month from 4th July 1967. The terms of the settlement must be considered satisfactory and are accepted.

An award is made in terms of the petition of compromise which shall form part of the award.

S. K. SEN,
Presiding Officer.

Dated,

4th July, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE NO. 115 OF 1966

Employers in relation to Chinakuri No. 1 and 2 Pits Colliery,

AND

Their Workmen.

MEMORANDUM OF SETTLEMENT

The parties aforesaid respectfully beg to submit as follows:—

1. The dispute before the Tribunal has been amicably settled on terms hereinafter state:

- (a) In full and final settlement of the workman herein concerned, as arising out of the present reference, the employers shall pay to him the sum of Rs. 650 (Rupees Six hundred and fifty).
- (b) The workman or the union concerned acting on his behalf has no other claim against the management in the present reference.
- (c) Besides the aforesaid sum of Rs. 650 (Rupees Six hundred and fifty), the management shall also pay to the workman all his other legal dues, if any.
- (d) The aforesaid payments shall be made to the workman within a fortnight from this date.
- (e) The workman shall in his turn, vacate the company's quarters occupied by him within a month from this date.
- (f) Parties shall bear their own costs of these proceedings.

2. It is prayed that the Tribunal may be pleased to give its award in terms aforesaid:

(PROBHAT GOSWAMI),
Org. Secretary,
Colliery Mazdoor Union,
(NIKHIL ROY),
Advocate,
for Workman.

Dated,

Calcutta the 4th July 1967.

(D. NARSINGH),
Advocate.
(S. K. BANERJEE),
Labour Relations Officer,
For Employers.
(L.T.I. of Harbans Singh),
Concerned workman.

S.O. 2428.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Chinakuri 1/2 Pits Colliery of Messrs Bengal Coal Company Limited, Post Office Dishergarh, Burdwan and their workmen which was received by the Central Government on the 10th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA.

REFERENCE No. 37 of 1966

PARTIES:

Employers in relation to the Chinakuri 1/2 Pits Colliery.

AND

Their workmen.

PRESENT:

Shri S. K. Sen.—*Presiding Officer.*

APPEARANCES:

On behalf of Employers.—Shri D. Narsingh, Advocate.

On behalf of Workmen.—Shri Probhat Goswami, Org., Secretary, Colliery Mazdoor Union.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/86/64/LRII dated 21st June, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Chinakuri 1/2 Pits Colliery of M/s. Bengal Coal Company Limited, P.O. Dishergarh, Burdwan and their workmen arising out of the retrenchment of the following 87 workmen with effect from the 1st August, 1964:—

1. Sri Nagina Gope.
2. Sri Kesho Pasmon.
3. Sri Haroo Show.
4. Sri Nand Kishor.
5. Sri Paresh Nath Dubey.
6. Sri Ram Chibala.
7. Sri Tafajul Mia.
8. Sri Gorakh Dusad.
9. Sri Rambahadur.
10. Sri Habu Mollick.
11. Sri Narad Mollick.
12. Sri Asrafi Hazam.
13. Sri Sankar Hazam.
14. Sri Lakhi Chand.
15. Sri Lakhan Bauri.
16. Sri Madhusudan.
17. Sri Jhulan Dusad.
18. Sri Rochi Pasmon.
19. Sri Meelal Barhi.
20. Sri Lakhan Barhi.
21. Sri Ramsohai Gope.
22. Sri Dwrik Gope.
23. Sri Balder Show.
24. Sri Dinu Mia.
25. Sri Bhupati Mollick.
26. Sri Kopildeo Panday.
27. Sri Budhram Singh.
28. Sri Barka Maihi.
29. Sri Monsha Majhi.
30. Sri Padam Show.
31. Sri Chatoo Mahato.
32. Sri Juman Mia.
33. Sri Sebopada Dutta.
34. Sri Surath Dusad.
35. Sri Basu Singh.
36. Sri Kalo Bauri.
37. Sri Tulshi Routh.
38. Sri Nepal Bauri.
39. Sri Hori Pasmon.

40. Sri Munshi Turi.
41. Sri Basu Mali.
42. Sri Bonowari Gope.
43. Sri Pahari Singh.
44. Sri Panchu Mondal.
45. Sri Bisun Turi.
46. Sri Elahie Mia.
47. Sri Khiroo Turi.
48. Sri Ramchoran Singh.
49. Sri Alom Mia.
50. Sri Uttim Bhuiya.
51. Sri Chamon Pasmon.
52. Sri Moshab Bhuiya.
53. Sri Haran Rosid.
54. Sri Osman Mia.
55. Sri Gagu Pasmon.
56. Sri Chatoo Jaishwara.
57. Sri Sahadev Mondal.
58. Sri Premilal Majhi.
59. Sri Kabir Mia.
60. Sri Sree Kisun Ahir.
61. Sri Santoo Ram.
62. Sri Adhar Bauri.
63. Sri Ajodhya Pasmon.
64. Sri Santoki Show.
65. Sri Pritom Show.
66. Sri Pancham Pasmon.
67. Sri Nathuni Dusad.
68. Sri Hiralal Dusad.
69. Sri Santraj Show.
70. Sri Kesho Ram.
71. Sri Jitem Karmokar.
72. Sri Ganga Mali.
73. Sri Ramdhoni Bhuiya.
74. Sri Jognarayan Gope.
75. Sri Sukar Mia.
76. Sri Hamid Mia.
77. Sri Sankar Singh.
78. Sri Abdul Rahim Mia.
79. Sri Jogarnath Ram.
80. Sri Jamaith Mia.
81. Sri Gobind Singh.
82. Sri Karim Mia.
83. Sri Padu Mia.
84. Sri Rampada Harl.
85. Sri Khadan Mahato.
86. Sri Ramaswar Rabidas.
87. Sri Kishna Prasad.

2. Some of the 87 workmen were piece-rated mazdoors and some workmen belonging to the categories of Pump Khalasi, Stone Cutting Mazdoor, Timber Mistry, etc., are time rated workmen. The management issued retrenchment notice on 19th August, 1964, on these workmen informing them that they would be retrenched with effect from 24th August, 1964, (not the 1st August, 1964). According to the union, there was no need for retrenchment at Chinakuri 1/2 Pits Colliery as it is a big and developing colliery owned by Messrs. Bengal Coal Company Limited; and even if there was need for retrenchment at this colliery, the employers should have followed the provisions of Section 25G of the Industrial Disputes Act which they did not do, and the employers might have transferred these workmen to several other collieries owned by them and the employers did not take that step also to help the workmen. Accordingly, the union claimed reinstatement of all the 87 workmen.

3. According to the management, all the 87 workmen were engaged in a special section, namely Sand Stowing Drift which is about one mile from the colliery itself and as work in the Sand Stowing Drift was over, that section was closed down and therefore the services of all the workmen became surplus and they had to be retrenched and they were offered retrenchment compensation under the provisions of Section 25F of the Industrial Disputes Act and many of them accepted the compensation. In the circumstances, according to the management, there was no scope for applying provisions of Section 25G of the Act. It was also not practicable to transfer them to other collieries.

4. Both parties filed their written statements after the dispute had been referred for adjudication. On the date fixed for hearing the parties have filed a joint petition of compromise by which the management has agreed to give employment at one of their collieries of Disergarh group to the following four workmen, namely, (41) Basu Mali, (81) Gobind Singh, (33) Sebopada Dutta, (38) Nepal Bauri, no pay or compensation being payable for the period of non-employment. As regards the remaining 83 workmen, they have all accepted the retrenchment compensation and given up the claim for reinstatement.

5. In view of the facts of the case, the terms of settlement cannot be considered unfavourable for the workmen and the union and the petition of compromise is, therefore, accepted and an award is made in terms of the petition of compromise which shall form part of the award.

Dated 4th July 1967.

S. K. SEN,
Presiding Officer.

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, CALCUTTA

REFERENCE No. 37 OF 1966

PARTIES:

Employers in relation to Chinakauri 1 and 2 Pits Colliery of Messrs Bengal
Coal Company Limited.

AND

Their Workmen.

JOINT PETITION OF COMPROMISE

The parties aforesaid most respectfully beg to submit as under:—

1. The issue referred to the Hon'ble Tribunal for adjudication reads as follows:—

SCHEDULE

- “(1) Whether the retrenchment of all or any of the 87 workmen specified in table hereunder by the management of Chinakauri 1 and 2 Pits Colliery with effect from 1st August, 1964 is legal and justified?
(2) If not, to what relief are the workmen concerned entitled?

Table

(Then follows the names of 87 concerned workmen).”

2. This Hon'ble Tribunal had called upon the parties to submit their written statements which they have done.

3. Both the parties to this reference, however have reached an amicable settlement by mutual negotiations on the following terms:—

- (a) The management agrees to re-employ without back wages four workmen within fifteen days from the date of submission of this agreement before the Hon'ble Tribunal, in any colliery in the Disergarh Group. The names of these four workers are noted below:—

1. Sri Basu Mali.
2. Sri Gobind Singh.
3. Sri Shiva Pada Dutta.
4. Sri Nepal Bouri.

- (b) The remaining workmen or the union acting on their behalf have no other claims against the management arising out of this present reference.

4. It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be graciously pleased to give its award in the aforesaid terms thereof.

And for this, the parties shall, as in duty bound, ever pray.

PROBHAT GOSWAMI,
Organising Secretary,
Colliery Mazdoor Union,
Asansol.
For the workmen.

D. NARSINGH,
Advocate.
S. K. BANERJEE,
L.R.O.
For the Employers.

Dated, the 3rd July, 1967.

[No. 6/86/64-LRII.]

S.O. 2429.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Additional Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the East Benedih Colliery of Messrs. East Bengal Coal Concern Private Limited, Post Office Nawagarh, District Dhanbad and their workmen which was received by the Central Government on the 10th July, 1967.

**BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL
TRIBUNAL AT DHANBAD**

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 32 of 1967.

PARTIES:

Employers in relation to the East Benedih Colliery of Messrs East Bengal Coal Concern Private Limited, P.O. Nawagarh, Distt. Dhanbad.

AND

Their Workmen.

PRESENT:

Shri Nandagiri Venkata Rao.—*Presiding Officer.*

APPEARANCES:

For the Employers.—None.

For the Workmen.—None.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, the 4th July 1967

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the East Benedih Colliery of M/s. East Bengal Coal Concern Private Limited, Post Office Nawagarh, Distt. Dhanbad and their workmen, by its order No. 2/35/65-LRII dated the 17th April, 1965, referred to the Central Government Industrial Tribunal, Dhanbad under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:

SCHEDULE

"Whether the action of the management of the East Benedih Colliery of Messrs East Bengal Coal Concern Private Limited in terminating the services of Shri Ramdayal Bhar, surface trammer with effect from the 25th September, 1964, was justified? If not, to what relief is the workman entitled?"

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as reference No. 63 of 1965 on its file. Statements of demands was not filed by either of the parties. While it was pending before the Central Government Industrial Tribunal, Dhanbad the proceeding was transferred to this Tribunal, by the Central Government by its order No. 8/25/67-LRII, dated 8th May,

1967, under Section 33(b) of the Industrial Disputes Act, 1947. Consequently, the reference is renumbered on the file of this Tribunal as Reference No. 32 of 1967.

3. No party filed statement of demands, although the date of reference is 17th April, 1965. In spite of it notices were sent to the parties, fixing the case for hearing on 29th June, 1967. The notices were duly served, as seen from the postal acknowledgments. Yet, no party chose to appear. Consequently, the Tribunal had to proceed with the case in accordance with Rule 22 of the Industrial Disputes (Central) Rules, 1957.

4. The dispute for enquiry before the Tribunal was, whether the termination of the services of the workman Shri Ram Dayal Bhar was justified. There is absolutely no evidence to conclude if the termination was justified or not justified thus, the reference is liable to be dismissed. Parties not taking part in the enquiry probalises that they have reached amicable settlement outside the Tribunal.

5. The reference is, therefore, dismissed. Considering circumstances of the case no order is passed as to costs. An award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

Sd./- N. VENKATA RAO,
Presiding Officer.

APPENDIX I

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE No. 32 OF 1967

Employers in relation to the East Bencdih Colliery of Messrs East Bengal Coal Concern Private Limited, P.O. Nawagarh, Dist. Dhanbad.

AND

Their Workmen

List of documents Admitted in evidence for the employers

Distinguishing mark or number	Description of docu- ment & date	Date of admission	Whether admitted by consent or on proof	Proved by
NIL	NIL	NIL	NIL	NIL

List of documents Admitted in evidence for the Workmen

Distinguishing mark or number	Description of document & date	Date of admission	Whether admitted by consent or on proof	Proved by
NIL	NIL	NIL	NIL	NIL

Sd. N. VENKATA RAO,
Presiding Officer,
Central Government Additional Industrial
Tribunal at Dhanbad.

APPENDIX II

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL
TRIBUNAL AT DHANBAD

REFERENCE No. 32 OF 1967

Employers in relation to the East Benedih Colliery of Messrs East Bengal Coal Concerns
Private Limited, P.O. Nawagarh, Dist. Dhanbad.

AND

Their Workmen

List of witnesses examined for the Employers

No. of witness	Name of witness	Date of examination
NIL	NIL	NIL

List of witnesses examined for the Workmen

No. of witness	Name of witness	Date of examination
NIL	NIL	NIL

Sd/-

(N. VENKATA RAO)

Presiding Officer

Central Government Additional Industrial
Tribunal at Dhanbad.

[No. 2/35/63-LRII.]

New Delhi, the 15th July 1967

S.O. 2430.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Additional Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Chanch Colliery of Messrs Andrew Yule and Company Limited, Post Office Chirkunda, District Dhanbad and Coalfields Recruiting Organisation of the one part, and their workmen, which was received by the Central Government on the 10th July, 1967

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL
AT DHANBADIn the matter of a Reference under Section 10(1)(d) of the Industrial Disputes
Act, 1947.

REFERENCE No. 107 OF 1967

PARTIES:

Employers in relation to the Chanch Colliery of Messrs Andrew Yule and
Company Limited, Post Office Chirkunda, Dist. Dhanbad and Coalfields
Recruiting Organisation.

AND

Their Workmen

PRESENT:

Shri Nandagiri Venkata Rao, Presiding Officer.

APPEARANCES:

For the Employers.—Shri J. Singh, Accounts Officer of Coalfields Recruiting
Organisation.For the Workmen.—Shri Rohan Ram, Assistant Secretary, Lalkdih Deep
Colliery, Colliery Mazdoor Sangh Branch.

STATE: Bihar.

INDUSTRY: Coal.
dated the 4th July, 1967

Dhanbad 13th Asadha, 1889.

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Chanch Colliery of Messrs Andrew Yule and Company Limited, P.O. Chirkunda, Dist. Dhanbad and Coalfields Recruiting Organisation of the one part and their workmen of the other part, by its order No. 2/6/66-LRII dated the 11th February, 1966 referred to the Central Government Industrial Tribunal, Dhanbad under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:

SCHEDULE

"Whether the transfer of Shri Narendra Singh, Assistant Supervisor, from the Chanch Colliery of Messrs Andrew Yule and Company Limited to Bird's Saunda Colliery with effect from the 20th August, 1965, and the termination of his services with effect from the 17th September, 1965, were justified? If not, to what relief is the workman entitled and from whom?"

2. The Central Government Industrial Tribunal, Dhanbad registered the Reference as Reference No. 23 of 1966 on its file. Statement of demands was not filed by either of the parties. While it was pending before the Central Government Industrial Tribunal, Dhanbad the proceeding was transferred to this Tribunal, by the Central Government by its order No. 8/25/67-LRII dated the 8th May, 1967 under Sec. 33(b) of the Industrial Disputes Act, 1947. Consequently, the reference is renumbered on the file of this Tribunal as Reference No. 107 of 1967.

3. On 22nd June, 1967 a compromise memo. was received signed by parties 2 and 3 and not by party 1. A notice was issued to all the three parties to appear before the Tribunal on 29th June, 1967 and show cause why the compromise memo. should not be recorded. On 29th June, 1967 party No. 3, the Assistant Secretary, Colliery Mazdoor Sangh, P. O. and Dist. Dhanbad was represented by Shri Rohan Ram, Assistant Secretary, Laikdih Deep Colliery Branch of the Colliery Mazdoor Sangh and parties 2 and 3, employers, by Shri J. Singh, Accounts Officer of Coalfield Recruiting Organisation. The concerned workman, Shri Narendar Singh was also present in person. The compromise memo. is duly verified. According to the compromise, the Executive Officer, Coalfield Recruiting Organisation agreed to transfer the concerned workman, Shri Narendra Singh from Chanch Colliery to Chinakuri 1 and 2 Pits Colliery with immediate effect and the parties agreed that the period of absence of the concerned workman from 17th September, 1965 will be treated as leave without pay for the purpose of maintaining his continuity of service only.

4. I consider the terms of compromise as fair and reasonable and in the interest of the concerned workman, as much as he is reinstated in the service. Thus, I accept the compromise and make the award in terms of the compromise and submit it under Section 15 of the Industrial Disputes Act, 1947. The compromise memo. is appended as Annexure 'A' and it will form part of the award.

N. VENKATA RAO, Presiding Officer.

ANNEXURE 'A'

MEMORANDUM OF SETTLEMENT

Representing Employers.—Executive Officer, Coalfields Recruiting Organisation.

Representing Workmen.—Colliery Mazdoor Sangh, Dhanbad.

SHORT RECITAL OF THE CASE

A dispute regarding transfer of Sri Narendra Singh, Asst. Supervisor, C.R.O. Chanch Colliery to Saunda Colliery from 20th August, 1965, and termination of his service with effect from 17th September, 1965 has been referred to the Central Government, Industrial Tribunal, Dhanbad, for adjudication. After discussions, the parties to the dispute have come to a settlement on the following terms:—

TERMS OF SETTLEMENT

1. The Executive Officer, Coalfields Recruiting Organisation agrees to transfer Shri Narendra Singh, Asst. Supervisor from Chanch Colliery to Chinakuri 1 and 2 Pits Colliery with immediate effect.

2. The period of absence of Shri Narendra Singh from 17th September, 1965 will be treated as leave without pay for the purpose of maintaining his continuity of service only.

Sd./ Illegible
Vice-President,
Colliery Mazdoor Sangh, Dhanbad.

Representing the Workmen
Dated the 18th April, 1967

Sd./ Illegible
Executive Officer,
Coalfields Recruiting
Organisation.
Representing the Employers

APPENDIX I

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL
AT DHANBAD

REFERENCE No. 107 of 1967

Employers in relation to the Chanch Colliery of Messrs Andrew Yule and Company Limited, Post Office Chirkunda, Dist. Dhanbad and Coalfields Recruiting Organisation.

AND
Their Workmen.

List of Documents Admitted in Evidence for the Employers

Distinguishing mark of number	Description of document & date	Date of admission	Whether admitted by consent or on Proved by proof	
NIL	NIL	NIL	NIL	NIL

List of Documents Admitted in Evidence for the Workmen

Distinguishing mark of number	Description of document & date	Date of admission	Whether admitted by consent or on Proved by proof	
NIL	NIL	NIL	NIL	NIL

(Sd.) N. VENKATA RAO,
Presiding Officer,
Central Government Additional Industrial
Tribunal, Dhanbad.

APPENDIX II

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL
AT DHANBAD

REFERENCE No. 107 of 1967

Employers in relation to the Chanch Colliery of Messrs Andrew Yule and Company Limited, Post Office Chirkunda, Dist. Dhanbad and Coalfields Recruiting Organisation.

AND
Their Workmen.

List of witness examined for the Employers

No. of witness	Name of witness	Date of examination.
NIL	NIL	NIL

List of witness examined for the Workmen

No. of witness	Name of witness	Date of examination
NIL	NIL	NIL

(Sd.) N. VENKATA RAO,
Presiding Officer,
Central Government Additional Industrial
Tribunal, Dhanbad.

[No. 2/6/66-LRII.]

New Delhi, the 15th July 1967

S.O. 2431.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Patmohna Colliery, Post Office Sitarampur, District Burdwan and their workmen, which was received by the Central Government on the 10th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE NO. 77 OF 1966

PARTIES:

Employers in relation to the Patmohna Colliery,

AND

Their workmen.

PRESENT:

Shri S. K. Sen—*Presiding Officer*.

APPEARANCES:

On behalf of Employers—Shri M. P. Baliase.

On behalf of Workmen—Shri Mahadeo Pathak.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/100/65-LRII dated 5th January 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Patmohna Colliery, P.O. Sitarampur, District Burdwan and their workmen in respect of the subject matter mentioned in the following schedule:

"1. Whether the management of Patmohna Colliery was justified in terminating the services of the following workmen? If not, to what relief are they entitled?

1. Shri Sul Chand Rajbhar, Miner.
2. Shri Jawahar Gowala, Miner.
3. Shri Sakloo Rajbhar, Miner.
4. Shri Sukhai Gowala, Miner.
5. Shri Biswambar Kahar, Miner.
6. Shri Das Singer Rajbhar, Miner.
7. Shri Jatnu Rajbhar, Miner.

2. Whether the action of the management of Patmohna Colliery in refusing work to the following workmen was justified? If not, to what relief are they entitled?

1. Shri Jagmohan Gowala, Traffic.
2. Shri Shoo Charan Sah, Miner.
3. Shri Bedesi Rajbhar, Traffic.
4. Shri Sambho Rajbhar, Miner.

3. Whether the management of Patmohna Colliery was justified in dismissing Sarvashri Ram Ekbal Kahar and Sakal Deo Singh, Bailing Mazdoor and Mining Sirdar respectively? If not, to what relief are they entitled?"

2. The management took the preliminary objection that all the workmen of the colliery were members of the Colliery Mazdoor Union affiliated to the I.N.T.U.C., that they did not recognise the Asansol Coal Field Workers Union which was registered only in June 1965 and that the union was not entitled to represent the workmen and that the dispute was an individual dispute and as such the reference order was bad as there was no industrial dispute as defined in the Industrial Disputes Act. On the merits the case of the Management is as follows:

- (i) The seven workmen mentioned in the first item of the schedule were workers who had not completed one year of service. Their services were terminated with effect from 17th February, 1965 by notices dated 10th February, 1965 which were duly served on them. A portion of the mine at 54 Level of depillaring section of Bunker pit

cross-cut section No. 3 was closed down because of the exhaustion of coal reserve at that place. Accordingly a number of workmen became surplus and 31 workmen who did not complete one year's service including the seven mentioned in item 1 of the schedule, were served with notices of termination of their service with effect from 17th February, 1965.

- (ii) Workman No. 1 in item 2 of the schedule, Jagmohan Gowala was originally a pick miner, and had been promoted as general mazdoor and worked as such for about one year. Thereafter an order reverting him back to the category of pickminer was passed by the manager on 6th February, 1965, his work as general mazdoor being considered not satisfactory; as Jagmohan did not receive that order when tendered to him by a peon of the colliery, it was sent to him by registered post and was received by him on 13th February, 1965, and from that date Jagmohan absented himself in spite of a notice subsequently served on him calling upon him to join his post. Accordingly, after some time he was treated as having abandoned his service and his name was removed from the list of employees. As regards No. 2, Sheo Charan Sah, he was absent from 26th February, 1964. Three notices were issued on him at intervals asking him to join his work, the last notice mentioning that if he did not come back and join within one week he would be treated as having abandoned his service. He did not come and therefore he was treated as having abandoned his service and his name was removed from the list of employees. As regards No. 3, Bedesi Rajbhar, he was chargesheeted for continuous absence since 2nd January, 1965 and he was dismissed after an *ex-parte* enquiry with effect from 22nd October, 1965. As regards, No. 4-Sambho Rajbhar, after voluntary absence for a fairly long time, he reported for duty on 6th December, 1965 and submitted a petition confessing that he had been absent without leave and asking for being allowed to join and he was taken back with effect from 7th December, 1965 by the management and accordingly there was no dispute outstanding concerning him. It may be mentioned here that the union also admitted in its written statement that Sambho Rajbhar had been taken back by the management, and Sambho Rajbhar filed a petition before the tribunal stating that he did not authorise the union, the Asansol Coal Field Workers Union, to file a dispute on his behalf and that he had been re-employed with effect from 7th December, 1965 and he had no wish to continue the case. So far as Sambho Rajbhar is concerned, there must be a finding that there is no dispute.

- (iii) As regards the two workmen mentioned in the third item of the schedule, namely Ram Ekbal Kahar, Bailing Mazdoor Sakal and Deo Singh, Mining Sirdar, they were both chargesheeted for long absence from their posts and after *ex-parte* enquiries they were dismissed with effect from 17th July 1965 and 12th March 1965, respectively.

3. The union in its written statement alleged that the workmen had been victimised for their trade union activities and asked for reinstatement in their respective jobs with full payment of back wages. After receiving a copy of the management's written statement the union filed a rejoinder denying that all the workmen of the colliery were members of the Colliery Mazdoor Union and claimed that the Asansol Coal Field Workers Union was entitled to represent the cases of the workmen and that there was no substance in the preliminary objection raised by the management.

4. Shri M. P. Baliase, representing the management before the tribunal did not give up the preliminary objection. On behalf of the union the General Secretary, Sri Mahadeo Pathak deposed in the case and proved the register of membership, Ext. 1. From the register it appears that all the workmen concerned in this case except one, Jatnu Rajbhar No. 7 of item No. 1 of the schedule, became members of the Asansol Coal Field Workers Union between 8th February 1965 and 3rd March 1965. The union was registered in June 1965 and Mahadeo Pathak admitted that the first complaint submitted by him in respect of dismissal or termination of service of workmen of Patmohna colliery was rejected by the Conciliation Officer as the union was not registered. So after registration of the union in June 1965 he submitted a fresh complaint on 12th June 1965 before the Conciliation Officer concerning the workmen, and then the Conciliation Officer talked to the representatives of both parties and tried to settle the matter, but as there was no settlement, the Conciliation Officer submitted a failure report. There appears to be some substance in the contention of Shri Baliase that the

newly formed union did not really know the circumstances of the dismissal or termination of service of the workmen when they raised the dispute before the Conciliation Officer. It appears from Ext. 2, the complaint filed by the General Secretary of the union on 12th June 1965 to the Conciliation Officer (C), Asansol that he merely alleged that the management had illegally stopped 22 workmen from working and that this amounted to unfair labour practice and victimisation, and that they should be reinstated in their job; at that stage he did not distinguish between the cases of the individual workmen. Further, after originally giving a list of 22 workmen, the union filed a revised list of 32 names who had been stopped from work. It is only in the written statement filed before the tribunal that the union has tried to make a distinction between the cases of the three groups of workmen concerned in the case. Even so, I must hold that the union is competent to represent the cases of the workmen. According to the evidence of Mahadeo Pathak, 500 or 600 workmen of Patmohna colliery ultimately became members of the newly formed union, and this statement is supported by the entries in the membership register, Ext. 1 which bears the endorsement of an Inspector of Trade Unions at one page. Most of the workmen examined in the case stated that after they were stopped from working or were dismissed they reported to Pathak Babu, i.e. General Secretary Mahadeo Pathak and asked him to take up their cases. According to the evidence of Mahadeo Pathak, the workman who did not become a member of the new union authorised him in writing to take up his case. It is clear therefore that the General Secretary of the new union was competent to take up the dispute and represent the workmen. Moreover, it may be pointed out that the reference was made on 5th January 1966 i.e. after the new Sec. 2A of the Industrial Disputes Act had come into force. Under Section 2A even a dispute relating to the retrenchment or dismissal or termination of service of a single workman is deemed to be an industrial dispute within the Act. In the circumstances, the preliminary objection raised by Sri Baliase must fail.

5. As regards the ground taken in the written statement of the union that the workmen were stopped from working because of their union activities, there is clearly no substance in the same. Several of them became members of the union after the notice of termination of service had been received by them or the order of dismissal had been passed against them. Some of the workmen moreover stated that they joined Pathak Babu's union only because Pathak Babu promised to fight their cases. Reference may be made to the evidence of Sukhai Gowala, workman No. 4 of item 1 of the schedule. He stated that when his services were terminated, he went to Keshab Babu with his complaint but Keshab Babu did not promise to do anything for him and so he went to Pathak Babu and joined his union. Other workmen tried to disguise this fact and claimed that they were members of Pathak Babu's union from a long time before, e.g. Jawahar Gowala workman No. 2 of item No. 1 stated that he paid subscription to Pathak Babu's union 10 months before he was stopped from work; and Jagmohan Gowala, No. 1 of item 2 of the schedule stated that he had become a member of Pathak Babu's union in 1964. The evidence of both these witnesses on the point is clearly false, because Mahadeo Pathak established the branch of his union at Patmohna only about the middle of February 1965 and Jagmohan Gowala's services were terminated from 17th February 1965. I find therefore that there was no victimisation in any case on account of trade union activities of the workmen. It has still to be considered whether the termination of services or dismissal was justified.

6. As regards the seven workmen of item No. 1, three of them have been examined as witnesses before the tribunal namely, No. 2-Jawahar Gowala, No. 4-Sukhai Gowala and No. 5-Biswambar Kahar. They claimed to have been serving at Patmohna as pick miners for about three years before they were thrown out of employment and denied that they had not completed 12 months' service when their services were terminated. The management, however, proved this by producing the B form register of 1965, 3 volumes of which were marked as Ext. C, C1 and C2 to prove that the workmen of this group had not completed 12 months' service by 17th February 1965. M.W. 3, Ram Dhiraj Singh, Attendance clerk of Patmohna colliery produced these registers and pointed out the relevant entries. It appears that Sulchand Rajbhar was first employed on 2nd January 1965, Jawahar Gowala on 15th September 1964, Sakloo Rajbhar on 14th September 1964, Sukhai Gowala on 15th July 1964, Biswambar Kahar on 15th September 1964, Dal Singer Rajbhar on 28th August 1964 and Jatnu Rajbhar on 29th October 1964. None of them, therefore, had completed 12 months' service by 17th February 1965. It is significant that this attendance clerk, M.W. 3, was not cross examined by Shri Mahadeo Pathak on behalf of the union. The workmen concerned had claimed to have been in service for nearly three years and to show that they were permanent workmen, they claimed that they received

bonus once or twice during their service. Under the Coal Mines Bonus Scheme, 1948 a category 1 employee e.g. an underground miner is entitled to bonus for a quarter if he works in the coal mine during the quarter for not less than 54 days. Therefore the receipt of bonus on one or two occasions, does not go to show that the workman was in service for more than a year. In cross examination the workmen admitted that they had first worked under a contractor, Kripal, and only subsequently they received direct employment under the company. Jawahar Gowala stated that he worked as a loader for two years and then for 10 or 11 months he worked as a coal cutter without any break in service, but he admitted that he was first employed by contractor Kripal and only thereafter by the company. It is possible that he worked for two years under Kripal as loader, and thereafter when he was appointed direct by the company, he was put to work as a pick miner. As pick miner, on his own admission, he worked for less than 12 months before his services were terminated. The other workmen also admitted that they were first employed under the contractor. In the circumstances, as regards these seven workmen, I must accept the case of the management that they did not complete 12 months' service, and the management was, therefore, entitled to terminate their services by giving 7 days' notice. Sri M. L. Mall, Welfare Officer, examined as M.W. 1 stated that a section of the mine was closed down because the coal was exhausted there and so a number of miners became surplus, and that notices of termination were issued on 31 workmen including the 7 workmen mentioned in item No. 1 of the schedule. This evidence was not seriously challenged. The notices of termination of service served on these 7 workmen were produced and marked Ext. A to A6. In the circumstances, I find that the termination of service of the 7 workmen mentioned in item No. 1 of the schedule was justified.

7. Out of the 4 workmen mentioned in item No. 2, it has already been stated that there is no dispute regarding No. 4-Sambho Rajbhar. The case of the remaining three workmen, Jagmohan Gowala, Sheo Charan Sah and Bedesi Rajbhar must, therefore, be considered. Out of this group only one workman, Jagmohan Gowala was produced as a witness by the union. He stated that he started work as pick miner and was then promoted as general mazdoor and worked as such in the traffic section, and that after he had worked as such for about one year, he refused to obey an order asking him and some other workmen to beat up some workmen of Ballia district and shortly thereafter he received a letter which he took to Pathak Babu and learnt that the management had reverted him to the post of a pick miner; that he tried to see the manager but he was prevented from doing so, and that he did not go to work as a miner. As regards the statement that he and other workers were asked to beat up workmen of Balla district, no such suggestion was put to Sri M. L. Mall who deposed as the principal witness for the management. Sri M. L. Mall proved the letter, Ext. D dated 6th February 1965 from the manager to Jagmohan Gowala wherein it was stated that Jagmohan Gowala's work as general mazdoor had been found unsatisfactory and therefore he was reverted to his substantive post of pickminer with immediate effect. According to Sri Mall's evidence this letter was tendered by peon to Jagmohan Gowala but was not accepted by him, and therefore the letter was sent by registered post. Thereafter Jagmohan Gowala on his own admission did not join his work. The Manager wrote another letter dated 1st March 1965 to Jagmohan Gowala, vide Ext. B1, wherein it was stated that Jagmohan had received the registered letter by signing on the acknowledgement receipt on 13th February 1965 but did not join as pick miner and that he was being given one more chance to join his duty within 24 hours of the receipt of this letter and that in default it would be presumed that he had abandoned his service; and in that case he might come and collect his full and final payment from the colliery office on any working day. No reply was received to this letter and neither did Jagmohan Gowala call at the colliery office to collect his payment. Sri Mahadeo Pathak has urged that reversion of Jagmohan Gowala to his old post as pick miner amounted to refusal of work as general mazdoor, and that the order of reversion could not be considered as a legal order, as the management did not produce any documentary evidence to show that Jagmohan Gowala had been promoted on probation only i.e. on the understanding that he would be reverted from the post of general mazdoor if his work was not satisfactory. But the employers always have the inherent right to revert a workman to his original post if his work in the higher post is not found satisfactory. I cannot, therefore, agree that the order of reversion was illegal. There however appears to be substance in the next point urged by Sri Mahadeo Pathak that without serving a chargesheet or holding any enquiry the workman's services could not be terminated. Sri Baliase has urged that Jagmohan Gowala was warned by the letter dated 1st March 1965 that unless he joined within 24 hours of receipt of the letter he would be treated

as having abandoned his employment, and that Jagmohan did not join even after the issue of this letter, and that in the circumstances the management was entitled to hold that Jagmohan had abandoned his service voluntarily. But the Standing Orders of the colliery, of which a copy has been filed before the tribunal, does not contain any provision that in such circumstances the management can treat a workman as having abandoned his service voluntarily. There is provision in the Standing Order that if a workman over-stays his leave by more than 10 days and does not explain the delay to the satisfaction of the management, the management may terminate the lien of the workman. But when without taking leave, a workman is absent for more than 10 days, there is no provision that the management may terminate the lien of the workman or treat him as having resigned his job. Under paragraph 18 of the Standing Orders, taken with clause (n) continued absence without permission and without satisfactory cause for more than 10 days is misconduct, and a workman may be suspended or fined or dismissed if found guilty of a misconduct; sub-paragraph 2 of paragraph 18 provides that a departmental enquiry shall be instituted for dealing with any charge of misconduct. Under the Standing Orders, therefore, I must hold that the management was not justified in treating Jagmohan Gowala as a workman who had voluntarily abandoned his service, but should have served him with a chargesheet and held an inquiry.

8. The same remark applies to the next workman of this group, Sheo Charan Sah. He was absent from 22nd June 1964. Sri M. L. Mall proved that the management issued certain letters warning him that if he did not promptly join he would be treated as having abandoned his service. These letters are Ext. E dt. 1st July 1964, Ext. E2 dated 24th September 1964 and Ext. E4 dated 6th October 1964. The original of E2 was sent by registered post but the letter came back unserved vide Ext. E3. The original of Ext. E4 was sought to be served by peon at the colliery, but the workman was not found at the colliery vide the endorsement of the peon on the cover. According to Shri Ballase the management was entitled to hold that Sheo Charan Sah had voluntarily abandoned his services; but as in the case of Jagmohan Gowala, I must hold that this was against the provisions of the Standing Orders and the management should have held departmental proceedings, as they did in other cases where the workmen were similarly absent for a long time from work.

9. As regards Bedeshi Rajbhar, he was absent from 2nd January 1965 and a chargesheet dated 12th January 1965, Ext. F was drawn up against him for continuous absence without leave. The chargesheet could not be served through peon and therefore with an endorsement by the manager, N. R. Dhup on 23rd January 1965 it was sent by registered post to his village address, but the registered letter also came back unserved vide Ext. F3. Another attempt with a further endorsement by the manager was made to serve the chargesheet but that attempt also failed. Thereafter a notice of enquiry was sent by registered post to his home address and by peon book, but neither of the notices could be served. Thereafter, the management held an *ex-parte* enquiry. Sri A. K. Srivastava as the enquiring officer held the enquiry on 13th September 1965 and recorded proceedings in his own hand-writing, Ext. F9 and submitted his report, Ext. F10 on the same day, 13th September 1965. According to the finding, continuous absence upto and including 12th January as mentioned in the chargesheet was proved. Indeed the workman was absent continuously even upto the date of enquiry, 13th September 1965. Thereafter the order of dismissal, Ext. F11 was drawn up on 22nd January 1965 and a copy of the order was sent by registered post to the workman concerned. Bedeshi Rajbhar has not come as a witness to give his version. On the evidence adduced on the side of the management, it must be held that the order of dismissal passed on Bedeshi Rajbhar was justified.

10. Of the two men mentioned in item No. 3 of the schedule, the union has produced one, namely Ram Ekbal Kahar as a witness. He said that when working as a bailing mazdoor he was stopped from work on 9th February 1965, and when he saw the manager, the manager told him to see Bhuneswar Misr, the incharge of the colliery, and when he saw Bhuneswar Misr, Bhuneswar Misr threatened to assault him and so the workman went away and was now running a shop at Asansol. He said that he did not receive any chargesheet. But he also said that from Asansol he did not communicate his address to the colliery and did not receive any letter which might have been sent to his home address. The management denied that the workman had been arbitrarily stopped from working. Shri M. L. Mall stated that Ram Ekbal Kahar was chargesheeted on 20th February 1965 for continuous absence from 9th February 1965 and that attempt was made to serve a chargesheet both at the colliery and at the home address, but the attempt failed. Thereafter, enquiry notices were issued on Ram Ekbal Kahar, but that notice also could not be served as the registered letter to his home address.

came back unserved and he could not be found in the dhowra attached to the colliery. Then Sri Mall himself held the enquiry on 13th July 1965; he proved the record of the enquiry, Ext. G7 and his report Ext. G8. Thereafter with the approval of the Director, the manager passed the order of dismissal on 17th July 1965. A copy of the order was sent by registered post to Ram Ekbal's home address but it came back unserved. This failure to communicate with Ram Ekbal is not surprising as Ram Ekbal on his own admission was then running a shop at Asansol and did not communicate his address to the manager of the colliery office. There being no evidence corroborating Ram Ekbal's statement that he was stopped from work from 9th February 1965, must accept the evidence on behalf of the management that he was absent without leave from 9th February 1965 and the order of dismissal was passed after an *ex-parte* enquiry which was held after the management had made several attempts to communicate with Ram Ekbal Kahar. Accordingly, the order of dismissal must be held to be justified.

11. Accordingly my award is as follows:—

1. The action of the management of Patmohna Colliery is terminating the services of the seven workmen mentioned in item 1 of the schedule with effect from 17th February 1965 was justified, and they are not entitled to any relief.

2. So far as No. 4-Sambho Rajbhar, Miner is concerned, there is no dispute. I find that the management was not justified in refusing work to No. 1-Jagmohan Gowala and No. 2-Sheo Charan Sah and I direct that they be offered employment as miners within a month of the publication of the award. The management should try to contact the workmen concerned direct as well as through the General Secretary of the Union, i.e. the Asansol Coal Field Workers Union, and if within 10 days of the receipt of the communication recalling them to join work as miner, either of them does not join, the management will be released from the obligation to re-employ the particular workman. The period of non-employment will be treated as absence without pay. In respect of No. 3-Bedeshi Rajbhar I find that there was an order of dismissal and the order of dismissal was justified and he is not entitled to any relief.

3. I find that the action of the management of Patmohna Colliery in dismissing Ram Ekbal Kahar, Bailing Mazdoor and Sakal Deo Singh, Mining Sirdar was justified and they are not entitled to any relief.

The 5th July 1967.

[No. 6/100/65-LRII.]

(Sd.) S. K. SEN,

Presiding Officer.

S.O. 2432.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers and their workmen, which was received by the Central Government on the 10th and their workmen, which was received by the Central Government on the 10th July, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 94 OF 1966

PARTIES:

Employers in relation to the Patmohna Colliery,
AND
Their Workmen.

PRESENT:

Shri S. K. Sen—Presiding Officer.

APPEARANCES:

On behalf of Employers: Shri M. P. Baliase.

On behalf of Workmen: Shri Mahadeo Pathak.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/96/65-LRII, dated 18th March, 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Patmohna Colliery, P.O. Sitarampur, District Burdwan, and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the management of Patmohna Colliery was justified in dismissing the following workmen from the dates mentioned against their names? If not, to what relief the said workmen are entitled?"

Sl. No.	Name of the workman	Designation	Date of dismissal
1.	Sri Ramraj Kahar	Gate-man	28.6.65
2.	Sri Jainath Chowdhury	Driller	13.4.65
3.	Sri Lalan Chowdhury	S. Trammer	27.3.65
4.	Sri Shew Bachan Chowdhury	Haulage Kh.	27.3.65
5.	Sri Triloki Nath Singh	Prop Mazdoor	9.3.65
6.	Sri Dasarath Rajbhar	Miner	28.5.65
7.	Sri Ramabadh Gowala	Fireman	1.9.65
8.	Sri Chandrika Saw	Trammer	10.4.65"

2. The eight workmen concerned in the case belong to different categories as mentioned in the schedule of the reference order. According to the union, the orders of dismissal passed on them were in contravention of the Standing Orders of the company and therefore illegal. As regards No. 6-Dasarath Rajbhar and No. 7-Ramabadh Gowala, the union admitted that they were chargesheeted, but denied that any enquiry was held in their presence. As regards the other 6 workmen, the union denied that any chargesheet had been drawn up or served on them or that any domestic enquiry had been held, and averred that in their case the order of dismissal was passed in order to avoid payment of retrenchment compensation due to workers retrenched after lay-off. The union, therefore, claimed reinstatement of all the 8 workmen.

3. The management raised a preliminary objection as to the maintainability of the reference alleging that the dispute was an individual dispute and that the Asansol Coal Field Workers Union which was not recognised by the management and was not representative of the workmen of the colliery, had no authority to represent the workmen. The management denied that any order of dismissal had been passed in order to avoid payment of retrenchment compensation to laid off workmen. According to the management, in every case a chargesheet had been drawn up and had been served or attempted to be served on the workman and then enquiry had been held by the officer deputed for the purpose, and that on the basis of the report of the Inquiring Officer and with the approval of the Director, the order of dismissal had been passed in each case.

4. As regards the preliminary objection by the management, I must hold that there is no substance in the same. The reference was made long after the new Section 2A of the Industrial Disputes Act had come into force and under Sec. 2A even a dispute arising from the dismissal or retrenchment or termination of service of a single workman would be deemed to constitute an industrial dispute. The Asansol Coal Field Workers Union was established in February 1965 and according to the evidence, the union obtained registration from the Registrar of Trade Unions in June 1965; and even though the workmen may have joined this particular union because they were not promised any relief by the late Keshab Banerjee, General Secretary of Colliery Mazdoor Union, which was the recognised union at the colliery, it appears from the evidence that the Asansol Coal Field Workers Union obtained a membership of 500 or 600 workmen at Patmohna Colliery and was, therefore, competent to represent the workmen who referred their grievances to the General Secretary of that union, Sri Mahadeo Pathak.

5. Out of the 8 workmen concerned, the union produced 4 workmen as witnesses, namely No. 2-Jainath Chowdhury, No. 3-Lalan Chowdhury, No. 5-Triloki Nath Singh and No. 7-Ramabadh Gowala. The management examined only one witness, Sri M. L. Mall, Welfare Officer.

6. Shri Mall admitted in his cross examination that by order of the Mines Department the entire colliery consisting of one pit and 2 inclines was closed for one day i.e. 30th October 1964, and that thereafter one incline remained closed under the order of the Mines Department, and that work was resumed in the pit and other incline, and that after 6 or 7 months work was partially resumed in the incline which had been closed down. He also admitted that about 150 workmen were laid off, and that 4 of the workmen concerned in the case, namely No. 2-Jainath Chowdhury, No. 3-Lalan Chowdhury, No. 4-Shew Bachan Chowdhury and No. 8-Chandrika Saw were laid off from 30th October to 20th November 1964. By an agreement between the management and the Colliery Mazdoor Union dated 20th November 1964, the laid off workmen whose list was to be supplied by the Colliery Mazdoor Union were to be granted leave without pay for 4 months from 21st November, 1964. According to Sri M. L. Mall, these 4 workmen, Jainath, Lalan, Shew Bachan and Chandrika who were not included in the Colliery Mazdoor Union's list, did not apply for the 4 months' leave without pay from 21st November, 1964 and therefore they were each chargesheeted on 7th January, 1965 for unauthorised absence from 21st November, 1964. In each of these cases, according to Sri Mall, enquiry was held and orders of dismissal were passed on the basis of the report of Inquiring Officer. Ext. C is the chargesheet against Jainath Chowdhury. According to the evidence of Sri Mall, attempt was made to serve the chargesheet on Jainath Chowdhury at the colliery but the peon returned the cover with the remark that the addressee could not be found; thereafter a copy of the chargesheet was sent by registered post but it came back unserved. Notice of enquiry was sent by registered post to Jainath's home address but it came back unserved. Enquiry was held by Sri A. K. Srivastava, Labour Welfare Officer on 23rd March, 1965, the proceedings in the handwriting of Sri Srivastava being Ext. C6, and his report, Ext. C/7. The order of dismissal dated 13th April, 1965 is Ext. C/8. Jainath Chowdhury in his evidence admitted that on 30th October 1964 the Mining Inspector came and stopped working of the mine and then Jainath was laid off for 4 weeks. He said that during those 4 weeks he received lay off compensation but after that he did not receive any lay off compensation, although he stayed at his quarters at the colliery for 10 months. He denied that he was absent from his quarters from 21st November, 1964 and that he could not be found at his quarters in Patmohna in January 1965. But in view of the evidence, I am not prepared to hold that the Management's attempt to serve the chargesheet and the notice of inquiry by peon and by registered post was a put up show. In cross examination, the witness Jainath admitted that there was an agreement between the management and the late Keshab Banerjee of Colliery Mazdoor Union and that the terms of the agreement were explained to him also, and that under the terms of the agreement the workmen who could not be provided with work because of the closure were to be paid 4 weeks' lay off pay and the train fare for going to their village home. Jainath said that he did not take the trainfare and he did not consider himself bound by the agreement as he was not a member of Keshab Babu's union. He said that there was a branch of Madhu Babu's union at the colliery, and as Madhu Babu did not take up his case, he went to Pathak Babu and became a member of his union.

7. Against Lalan Chowdhury, the chargesheet is Ext. D. In this case though the chargesheet could not be served locally, the copy of the chargesheet sent to his home address was acknowledged by Lalan Chowdhury vide Ext. D/3. The enquiry notice sent to his home address by registered post was also acknowledged vide Ext. D5. But Lalan Chowdhury did not appear at the enquiry which was held on 22nd March, 1965 by Sri A. K. Srivastava. Ext. D/6 is the proceedings of the enquiry and D/7 the report submitted by the Inquiring Officer. The order of dismissal passed on 27th March, 1965 is Ext. D/8. Lalan Chowdhury was examined in chief before the tribunal; he denied having received the chargesheet at his village home by registered post and denied also having received any notice. He was however not produced for cross-examination and I find no reason to reject the evidence showing that the chargesheet and the notice of inquiry were served on him.

8. Ext. E is the chargesheet against Shew Bachan Chowdhury. Shew Bachan Chowdhury has not appeared as a witness, but he sent a reply to the chargesheet from his village home, Ext. E/3, dated 27th January, 1965, wherein he stated that he was staying idle at the colliery for about two months and then fell seriously ill, and in that condition members of his family came and took him home and so he could not inform the authorities before leaving the colliery. He enquired when he could come and join his duty. In reply he was informed that the reply was unsatisfactory and that enquiry would be held on the 5th day of his acknowledging the receipt of the notice. The acknowledgement of the notice sent by registered post was received with an endorsement dated 16th February, 1965, but

Shew Bachan Chowdhury did not appear at the enquiry which was held on 22nd February, 1965 by the Welfare Officer, Sri M. L. Mall. Ext. E/6 is the enquiry proceedings and Ext. E/7 the report. The order of dismissal was passed on 27th March 1965 vide Ext. E/8.

9. Against Chandrika Saw who also did not appear as a witness, the chargesheet is Ext. I. The enquiry was held *ex-parte* on 29th March, 1965 by Sri A. K. Srivastava who submitted his report on the same day. The order of dismissal in this case was passed on 10th April, 1965, Ext. I/9. The chargesheet and notice of enquiry could not be served personally although attempt was made to serve them both at the colliery and at his home address by registered post.

10. In respect of these 4 workmen, Sri Mahadeo Pathak, on behalf of the union, has urged that the agreement made with the late Keshab Banerjee of the Colliery Mazdoor Union after the lay-off of 150 workmen should be regarded as binding as regards all the workmen including these four who were not members at the time of the Colliery Mazdoor Union, and that the 4 workmen should have been regarded as on 4 months' leave without pay and the management should not have at that stage drawn up proceedings for unauthorised absence. Sri Baliase has urged that the agreement made with Keshab Banerjee of Colliery Mazdoor Union was a bipartite agreement and not an agreement made in the course of conciliation proceedings; and therefore Section 18 Sub-section 3 of the Industrial Disputes Act, by which an agreement made in the course of a conciliation proceedings is binding not only on the parties to the agreement but on all the workmen, would not be applicable; and only Sub-section 1 of Sec. 18 would apply by which the settlement arrived at by agreement between the employer and workmen otherwise than in the course of conciliation proceedings is binding on the parties only to the agreement. I must accept the argument of Sri Baliase that the agreement which was entered into with the late Keshab Banerjee not being during conciliation proceedings would not be binding on all the workmen. It has been mentioned that Jainath Chowdhury, one of the workmen, stated that he did not consider himself bound by the terms of the agreement which had been entered into with the late Keshab Banerjee, although the terms of the agreement were explained to him and other workmen. But clearly, to these 4 workmen the management was not in a position to offer work for at least 4 months from 21st November, 1964. According to the evidence of Sri M. L. Mall, it was only after 6 or 7 months when the work was partially resumed in the incline which had been closed down that some laid-off workmen were given work. In the statement filed before the Conciliation Officer it appears that the case of the management then was that after the expiry of 4 months for which the workmen mentioned in the list submitted by Keshab Banerjee were to be deemed on 4 months' leave without pay, the leave had to be extended by a further period of 3 months as the management was still not in a position to give them work, and that it was only from 24th or 25th of June 1965 that the management was in a position to ask the workers to resume work. It may be that the laid off workers not covered by the agreement, before they left the colliery premises, should have obtained permission from the manager, but the failure to do so when the management had no work to offer to them cannot be deemed to be a misconduct. Sec. 25E provides that a laid off workman would not be entitled to lay off compensation if he does not present himself for work at the establishment during the normal working hours at least once a day. Thus for leaving the colliery and not presenting himself for work at least once a day, a workman would lose the right to the lay-off compensation, but that would not be deemed to be unauthorised absence for which he could be chargesheeted. I would hold, therefore, that these 4 workmen were wrongly chargesheeted and they should be treated still as laid-off workmen with their names in the muster-roll of the company, and therefore should be offered work as the working of the colliery has now been resumed in full.

11. As regards No. 1, Ramraj Kahar, he did not come as witness. According to the evidence of the management, he was chargesheeted on 6th January, 1965 for unauthorised absence from 1st December, 1964. In the written statement of the union, it was mentioned that he also was one of the workmen laid off along with Jainath Chowdhury, Lalan Chowdhury, Shew Bachan Chowdhury and Chandrika Saw, but no such suggestion was put to the witness for the management Sri M. L. Mall. Since he was chargesheeted for absence from 1st December, 1964 and not from 21st November, 1964 it would appear that he was not one of the laid-off workmen. The chargesheet against him is Ext. B. It could not be served locally and then a copy was sent by registered post, the postal receipt being Ext. B/3. According to Sri Mall, the original registered letter did not come back and neither was the acknowledgement received back at the colliery. The enquiry notice was sent by registered post and thereafter an *ex-parte* enquiry

was held by Sri A. K. Srivastava, Labour Welfare Officer on 17th June, 1965. The proceedings is Ext. B/6 and the report dated 18th June, 1965 is Ext. B/7. With the approval of the Director, the order of dismissal was passed on 28th June, 1965 vide Ext. B/8. There being nothing to challenge this *ex-parte* evidence, the order of dismissal of Ramraj Kahar must be held to be justified.

12. No. 5-Triloki Nath Singh deposed as a witness before the tribunal. He stated that on 22nd December, 1964 when he went to join his shift, the attendance clerk in the lamp room told him that he would not be allowed to work any more and his *hazira* was not recorded. He was not allowed to take his cap lamp. He then went to the manager, who asked him to see the in-charge Bhuneswar Misir, but Bhuneswar Misir told him that he had got another man to do the job and so he could not be given any work. He said that 7 or 8 days later he was driven out of his quarters and then he went to Asansol where he stayed with a relative for 3 or 4 months during which time he did not inform the company about his address, and then went to his village home where he is now looking after his cultivation. He said that when he was at Asansol, he came to know that a warrant had been taken to his village home in connection with an incident at the colliery (a dacoity in December 1964 at Bhuneswar Misir's house), and then he appeared before the court at Asansol and was released on bail. He denied having received any chargesheet or notice of enquiry. On behalf of the management, Sri M. L. Mall proved the chargesheet and the proceedings of enquiry against Triloki Nath. The copy of the chargesheet which is dated 22nd December, 1964 is Ext. F; it could not be served. The enquiry was held by Sri Mall himself on 24th February, 1965 after issue of notice of the inquiry. The order of dismissal was passed in this case on 9th March, 1965. But in this case there appears to exist an inherent defect in the proceedings. As already mentioned, the chargesheet was drawn up on 22nd December, 1964 but the misconduct charged was absence from 21st December, 1964. It was not thus a case of unauthorised absence for 10 days or more and therefore the order of dismissal would not be justified according to the Standing Orders. Therefore, the order of dismissal must be held to be unjustified and there must be an order of reinstatement.

13. As regards No. 6-Dasarath Rajbhar, he did not come as a witness and Sri M. L. Mall proved the proceedings against him. The chargesheet, Ext. G was drawn up on 12th March, 1965 for unauthorised absence from 12th February, 1965. Attempt was made to serve the chargesheet and notice of enquiry both at the colliery and the home address by registered post, but the same could not be served and thereafter an *ex-parte* enquiry was held by Sri A. K. Srivastava, Labour Welfare Officer on 4th May, 1965 and on the basis of his report, the order of dismissal was passed on 28th May, 1965. There is no suggestion by Sri Mahadeo Prasad that this was a case where the workman had originally been laid off. The evidence of the management stands uncontradicted. The order of dismissal, therefore, must be held justified.

14. As regards No. 7-Ramabadh Gowala, the chargesheet against him is Ext. H, dated 24th April, 1965 charging him with leaving his place of duty in the first shift of 23rd April, 1965 and proceeding to Brij Raj Gowala's house and assaulting him. The chargesheet was received personally by Ramabadh Gowala who put his signature, Ext. A, on the office copy of the chargesheet. Ramabadh Gowala submitted a reply, Ext. H/1 on 26th April, 1965, stating that there had been no such occurrence and that it was not true that he had man-handled or assaulted Brij Raj Gowala on that day. He stated on the other hand that he had been arrested by the police when on duty at about 10-30 a.m. on that day. The enquiry was held by Sri A. K. Srivastava which he did not attend. According to the management, in the meantime, he threatened two other workmen, Sri Kori Rajbhar and Bhagwati Prasad Mishra; and accordingly a second chargesheet, Ext. H/4 was drawn up against him on 8th May, 1965 but it could not be served on him in spite of attempt to serve it by peon as well as by registered post. The enquiry in connection with the second chargesheet was held on 21st June, 1965 and then a combined report was submitted by the enquiring officer on 20th August, 1965 and then the order of dismissal was passed on 1st September, 1965. Ramabadh Gowala was examined as a witness before the tribunal, and he stated that he was arrested by the police in one case, and when he returned to the colliery he received the chargesheet from the company. In cross-examination he stated that he was chaledan under a Security Act case thereafter, and so he could not appear for the enquiry on any date. He denied having threatened or assaulted Kori Rajbhar and Bhagwati Prasad Mishra and denied having received the second chargesheet. In examination in chief he admitted that he received a letter from the management asking him to come and take his dues, i.e. the dismissal order,

but in cross-examination which was held on a subsequent date, he denied having received any such letter. In this case the evidence as to the enquiry having been held in accordance with the usual procedure must be accepted even though the enquiry was held ex-parte. There is, therefore, no reason to interfere with the order of dismissal which must be held to be justified.

16. My award, therefore, is that the orders of dismissal passed by the management in respect of No. 1-Ramraj Kahar, Gateman, No. 6-Dasarath Rajbhar, Miner and No. 2-Chandrabha Saw, Trammer, the order of dismissal was not justified and entitled to any relief; that as regards No. 2-Jainath Chowdhury, Driller, No. 1-Labon Chowdhury, S/Trammer, No. 4-Shew Bachan Chowdhury, Haulage Khalasi and No. 6-Chandrabha Saw, Trammer, the order of dismissal was not justified and they should be treated as laid-off workmen of Patmohna Colliery still on the Muster Roll of the colliery, and should be offered suitable appointment within one month from the date of publication of the award. As they failed to report to the management daily as required by Sec. 25E clause (ii) and as they left the colliery without permission, they are not entitled to any lay-off compensation or other kind of compensation during the period of non-employment. In respect of No. 5-Triloki Nath Singh, Prop. Mazdoor, my award is that the order of dismissal was not justified and he must also be given employment within a month of the publication of the award and for the period of non-employment, he will receive compensation at the rate of 1/4th of his wages and other allowances.

Dated, 5th July 1967.

Sd/- S. K. SEN,
Presiding Officer.
[No. 6/96/65-LRII.]

(Department of Labour & Employment)

ORDERS

New Delhi, the 12th July 1967

S.O. 2432.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Katras-Choitudih Colliery, P.O. Katrasgarh, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Katras-Choitudih Colliery, P.O. Katrasgarh (Distt. Dhanbad) was justified in dismissing Shri Kashinath Ghosh, Btl Clerk, from service with effect from the 27th July, 1965? If not, to what relief is he entitled?

[No. 2(147)/65-LRII (Vol. II).]

New Delhi, the 15th July 1967

S.O. 2434.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Chora Colliery, No. 10 Pit of Messrs East Chora Colliery Company Limited, Post Office Bahula, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the denial of wages to Shri Manik Bouri, Fitter Helper, from 6th January, 1967 to 10th March, 1967 by the management of Chora Colliery No. 10 Pit, Post Office Bahula, District Burdwan was justified? If not, to what relief is he entitled?

[No. 6/49/67-LRJI.]

S.O. 2435.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the National Coal Development Corporation Limited, Ranchi, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under Section 7A of the said Act.

SCHEDULE

- (i) Whether any industrial dispute, regarding payment of profit sharing bonus, between the employees of the headquarters organisation of the National Coal Development Corporation Limited, Ranchi, and the management of the Corporation was pending immediately before the promulgation of the Payment of Bonus Ordinance 1965 on the 29th May, 1965?
- (ii) Whether the said dispute is still pending?
- (iii) Having regard among other things to the Memorandum of Settlement dated the 21st September, 1965 whether the demand of the employees, belonging to the headquarters organisation of the Corporation for profit sharing bonus for the years 1961-62, 1962-63, 1963-64, on the basis of the profits made by the Corporation, is justified?
- (iv) If the said demand is justified, to what relief are the workmen entitled?

[No. 2/130/65-LRJI.]

BALWANT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 11th July 1967

S.O. 2436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to Messrs A. V. Bhanojirow, G. P. Ramayya and Company, Visakhapatnam and their workmen which was received by the Central Government on the 5th July, 1967.

BEFORE THE INDUSTRIAL TRIBUNAL, (C), ANDHRA PRADESH, HYDERABAD

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 5 OF 1967

BETWEEN

Workmen of M/s A. V. Bhanojirow, G. P. Ramayya and Company, Visakhapatnam.

AND

Employers of M/s A. V. Bhanojirow, G. P. Ramayya and Company, Visakhapatnam.

AWARD

The Government of India in its Ministry of Labour, Employment & Rehabilitation had, by Order No. 24(161)/66-LRJI dated 13th February 1967, referred this

dispute to me for adjudication. The issue as per schedule annexed to the notification is this:—

Whether Sarvashri K. Krishna Murty, L. Venkatarao, P. Divakara Rao and Kumari S. Saroja, Ex-employees of Messrs A. V. Bhanojirow, Garuda Pattabhiramayya and Company, Port View, Visakhapatnam-1, are entitled to Bonus for the accounting year 1964-65 under the Payment of Bonus Act, 1965? If so at what rate?

2. The Commercial Employees' Union, Visakhapatnam, is party to the reference. Notice of the reference was sent to the Union with direction to file statement of claims on or before 12th April 1967. That notice was received by the representative of the Union as seen from postal acknowledgment. The statement of claims was not received. Therefore I extended time therefor till 18th April. Even by that date statement of claims was not received, nor any other communication. Thereupon I gave notice to the Management intimating that any statement of claims was not received from the Union, and calling upon the Management to file a statement of its case, if any. The Management filed counter that the claimants were not entitled to bonus as claimed by them. I posted the case for enquiry to 15th July 1967. Notice of the posting of the dispute for enquiry to that date was sent to both sides. Acknowledging the receipt of this notice, Mr. B. G. M. A. Narsing Rao, President, Commercial Employees' Union, has written letter to the Tribunal, received here on 1st July, stating that the claimant workmen are not pressing the issue", and requesting that "permission to withdraw the dispute" may be accorded. That letter is signed by Mr. Narsing Rao.

3. It will be noticed that the onus of proof under the issue as per annexure to the notification is upon the claimant workmen. They have not filed any statement of their claim. And then there is the letter mentioned above from the President of the Commercial Employees Union by which the issue itself is not pressed. As the Union has not filed any statement of claims in support of their claim as per the issue, and as by their letter under mention they do not intend to adduce evidence to discharge the onus that is upon them, and as indeed by the said letter the issue itself is not pressed, my finding under it is that Sarvashri K. Krishna Murty, L. Venkatarao, P. Divakara Rao and Kumari S. Saroja, Ex-employees of Messrs A. V. Bhanojirow, Garuda Pattabhiramayya and Company, are not entitled to bonus for the accounting year 1964-65 under the Payment of Bonus Act, 1965.

AWARD passed accordingly.

Given under my hand and the seal of the Tribunal, this the 3rd day of July, 1967.

(Sd.) M. NAJMUDDIN,
Industrial Tribunal.
[No. 28(161)/66-LRIV.]

S.O. 2437.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in respect of a complaint under section 33A of the said Act filed by Shri Sanches I. Almeida an employee of Messrs Shri Mankeshwar Mechanical Works, Bombay which was received by the Central Government on 3rd July, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

APPLICATION CGIT No. 37 of 1966

(Arising out of Reference No. CGIT No. 58 of 1965)

Shri Sanches I. Almeida—*Complainant*.

Versus

M/s. Shri Mankeshwar Mechanical Works, Bombay—*Opposite Party*.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

Shri H. K. Sewani, Advocate with Shri R. A. Pandit, Assistant Secretary for the Transport Dock Workers' Union—*For the Complainant*.

Shri M. S. Naik, Advocate, with Shri U. N. Triparti—*For M/s. Shri Mankeshwar Mechanical Works*.

Dated at Bombay this 26th day of June, 1967

INDUSTRY: Major Ports and Docks.

STATE: Maharashtra.

AWARD

This is a complaint dated 5th December 1966 under Sec. 33A of the Industrial Disputes Act by Shri Sanches I. Almeida, a workman concerned in the Industrial Dispute Reference CGIT No. 58 of 1965, which is pending before me.

The complaint is directed against the dismissal of the applicant by the Opposite Party from its service on or about 24th October 1966. The applicant's complaint is that his services were terminated in violation of the provisions of Sec. 33 of the Industrial Disputes Act, 1947 and that the dismissal was illegal and unjustified.

After the complaint was received notice was issued on the Opposite Party to file their written statement, in reply, which they filed on 17th June, 1967. Thereafter, at the hearing of this application on 19th June 1967, after some discussion, the parties filed a joint application recording the terms of settlement that had been reached between them and prayed for an Award in terms of that settlement. A copy of the said joint application is annexed herewith and marked Annexure 'A' and I make an Award in terms of the settlement reached between the parties.

No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer.

BEFORE SHRI SALIM M. MERCHANT, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

COMPLAINT No. CGIT-37 of 1966

IN

REFERENCE No. CGIT-58 of 1965

Mr. Sanches I. Almeida—Complainant.

Vs.

M/s. Shri Mankeshwar Mechanical Works, Bombay—Opposite Party.

MAY IT PLEASE YOUR HONOUR,

The parties to the above complaint have reached the following settlement. They pray that the Tribunal may be pleased to make an Award in terms thereof.

TERMS OF SETTLEMENT

It is agreed that Mr. Sanches I. Almeida, Complainant, be paid Rs. 605/- in full and final settlement of all his rights and claims arising out of his employment with the Opposite Party. This sum of Rs. 605/- does not include his earned wages, if any, due to him for the month of October, 1966. He does not press his claim for reinstatement.

The above amount of Rs. 605/- shall be paid to Shri Almeida on or before 31st of July, 1967. The worker agrees to hand over to the company the photo-pass (Dock permit).

Bombay dated this 19th day of June, 1967.

Sd./- M/s. Shri Mankeshwar Mechanical

Sd./-
Mr. SANCHES I. ALMEIDA,
Complainant.

Works, Bombay
Opposite Party.

Sd./-
H. K. SOWANI,
Advocate for the Complainant.

Sd./- M. S. Naik,
Advocate for Co.

Before me,
Sd./-
(SALIM M. MERCHANT)
Presiding Officer,
Bombay 19-6-1967.

[No. 28(78)/65-LRIV.]

New Delhi, the 12th July 1967

S.O. 2438.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court at Hyderabad, constituted by notification No. S.O. 456, dated the 5th February, 1963 of the Government of India in the late Ministry of Labour and Employment;

Now, therefore, in exercise of the powers conferred by section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri B. enkataramana as Presiding Officer of the Labour Court constituted as aforesaid

[No. F. 1/14/67-LR.I.]

(Department of Labour & Employment)

ORDERS

New Delhi, the 13th July 1967

S. O. 2439.—Whereas the employers in relation to Bombay Port Trust, Bombay and their workmen represented by the Bombay Port Trust General Workers' Union, Bombay and the Bombay Port Trust Employees' Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them to a Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And, whereas the Central Government is satisfied that the persons applying represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the demand that Shri Hassan Ahmed has a prior claim for promotion to the post of Motor Engine Driver, Grade I, in 'C' cadre vessels of the Port Department as against the claims of Sarvashri Hassan Cassum, Ebrahim Dawood, Ally Meya Hoosain, Ismail Dhauddin is justified? If so, to what relief is Shri Hassan Ahmed entitled and from what date?

[No. 28(31)67-LR.III.]

New Delhi, the 14th July 1967

S.O. 2440.—Whereas the employers in relation to Messrs Volkart (India) Limited, Bombay and their workmen represented by the All-India Voltas and Volkart Employees' Federation, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them in respect of the matter set forth in the application and reproduced in the Schedule thereto annexed;

Whereas the Central Government is of opinion that the said dispute is of such a nature that industrial establishments situated in more than one State are likely to be interested in, or affected by, such dispute and that the dispute should be adjudicated by a National Tribunal;

And whereas the Central Government is satisfied that the All-India Voltas and Volkart Employees' Federation represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-sections (2) and (1A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the National Industrial Tribunal, Bombay, constituted under section 7-B of the said Act.

SCHEDULE

What should be the proper quantum of bonus payable to the employees covered under this reference for the Company's financial year ending on the 31st August, 1966 as per the Payment of Bonus Act, 1965 (21 of 1965)?

[No. 17/8/66-LR.IV.]

New Delhi, the 15th July 1967

S.O. 2441.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Caledonian Insurance Company, New Delhi and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Ishwar Das Pawar shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether any or all of the existing conditions of service mentioned below relating to peons and drivers employed by Caledonian Insurance Company, New Delhi need any improvement? If so, to what extent and from what date?

1. Pay-Scales.
2. Dearness Allowance.
3. Overtime Allowance
4. Age of retirement.

[No. 76(1)/66-LRIV.]

S.O. 2442.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs Zurich Insurance Company, Bombay and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the Management of Messrs Zurich Insurance Company, Bombay was justified in terminating the services of Shri P. S. Donvalkar with effect from the 1st January, 1967 If not, to what relief is he entitled?

[No. 70(8)/67-LRIII.]

S. S. SAHASRANAMAN, Under Secy.

(Department of Labour and Employment)

New Delhi, the 12th July 1967

S.O. 2443.—The following draft of a scheme further to amend the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st August, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Scheme

1. This Scheme may be called the Calcutta Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after clause 16 the following clause shall be inserted, namely:—

“16-A. *Listed Workers Welfare Fund.*—Cost of amenities, welfare and health measures and recreation facilities for listed dock workers shall be met from a separate fund called Listed Workers Welfare Fund which shall be maintained by the Board. Contributions to this Fund shall

be made by all listed employers at such rate as may be determined by the Board. The Board shall frame rules for contributions to, maintenance and operation of the Fund."

[No. 61/1/67-Fac. II.]

S.O. 2444.—The following draft of a scheme further to amend the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st August, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Scheme

1. This Scheme may be called the Bombay Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after clause 16, the following clause shall be inserted, namely:—

"16-A. *Listed Workers Welfare Fund.*—Cost of amenities, welfare and health measures and recreation facilities for listed dock workers shall be met from a separate fund called Listed Workers Welfare Fund which shall be maintained by the Board. Contributions to this Fund shall be made by all listed employers at such rate as may be determined by the Board. The Board shall frame rules for contributions to maintenance and operation of the Fund."

[No. 61/1/67-Fac. II.]

S.O. 2445.—The following draft of a scheme further to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st August, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Scheme

1. This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after clause 16, the following clause shall be inserted, namely:—

"16-A. *Listed Workers Welfare Fund.*—Cost of amenities, welfare and health measures and recreation facilities for listed dock workers shall be met from a separate fund called Listed Workers Welfare Fund which shall be maintained by the Board. Contributions to this Fund shall be made by all listed employers at such rate as may be determined by the Board. The Board shall frame rules for contributions to, maintenance and operation of the Fund."

[No. 61/1/67-Fac. II.]

K. D. HAJELA, Under Secy.

(Department of Labour & Employment)

New Delhi, the 12th July 1967

S.O. 2446.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard the location of the factory, namely, the Automobile Workshop belonging

to the Municipal Corporation of Delhi at Jhandewalan, New Delhi, in an implemented area, hereby exempts the said factory from the payment of the employer's special contribution leviable under chapter VA of the said Act for the period upto and including the 27th October, 1967.

[No. F. 6/26/67-HI.]

New Delhi, the 13th July 1967

S.O. 2447.—In exercise of the powers conferred by Section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory namely, the Bombay Electric Supply and Transport Undertakings Bus Garage at Wadala, Bombay, in an implemented area, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period upto and including the 9th June, 1968.

[No. F. 6(48)/67-HI.]

S.O. 2448.—Whereas the State Government of Haryana has in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri P. N. Bhalla, I.A.S., Secretary to the Government of Haryana, Labour and Employment Department, Chandigarh, to represent that State on the Employees' State Insurance Corporation in place of Shri B. L. Ahuja;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2551, dated the 9th August, 1966, namely:—

In the said notification, under the heading "[Nominated by the State Governments under clause (d) of section 4]", for the entry against item 11A, the following entry shall be substituted, namely:—

"Shri P. N. Bhalla, I.A.S., Secretary to the Government of Haryana, Labour and Employment Departments, Chandigarh."

[No. F. 3/18/66-HI.]

S.O. 2449.—Whereas the State Government of Punjab has, in pursuance of clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Dr. K. Moti Singh, Director, Health Services, Government of Punjab, to be a member of the Medical Benefit Council in place of Dr. D. Bhatia;

Now, therefore, in pursuance of sub-section (i) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2899, dated the 27th September, 1966, namely:—

In the said notification, under the heading "[Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10]", for the entry against item (14), the following entry shall be substituted, namely:—

"Dr. K. Moti Singh, Director, Health Services, Government of Punjab, Chandigarh."

[No. F. 3/20/66-HI.]

New Delhi, the 17th July 1967

S.O. 2450.—In exercise of the powers conferred by Section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory namely the Sewage Purification Plant, Colaba owned by the Bombay Municipal Corporation, Bombay in an implemented area, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for the period upto and including 2nd April, 1968.

[No. F. 6(49)/66-HI.]

S.O. 2451.—In exercise of the powers conferred by sub-section (1) of section 3A of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2370 dated the 23rd September, 1961, the

Central Government hereby constitutes with effect from the 17th July, 1967, a Board of Trustees consisting of the following persons, namely:—

Chairman

1. The Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment), New Delhi.

Ex-officio member

2. The Coal Mines Provident Fund Commissioner, Dhanbad.

Members

Representatives of the Central Government

3. Shri A. C. Bose, Coal Controller, Calcutta.
4. The Coal Mines Welfare Commissioner, Dhanbad.
5. The Central Provident Fund Commissioner, New Delhi.

Representatives of the State Governments

6. Shri Ishwarl Prasad, Commissioner of Labour, Bihar, Patna.
7. The Secretary, Labour Department Government of West Bengal, Writers' Buildings, Calcutta-1.
8. Shri S. B. Lal, Commissioner of Labour, Madhya Pradesh, Indore.
9. Shri Bharat Chand Khanna, Commissioner of Labour, Government of Andhra Pradesh, Hyderabad.
10. The Deputy Commissioner of Labour, Government of Maharashtra, Liberty Cinema, Building, Sadar, Nagpur.
11. Shri U. N. Sahu, Commissioner of Labour, Government of Orissa, Bhubaneswar.

Representatives of the employers

12. Shri S. V. Raman, The East Indian Coal Co. Ltd., P.O. Jealgora, Dt. Dhanbad.
13. Shri S. K. Saraogi, M/s. Raneegunge Coal Association Ltd., 3A, Chowringhee Place, Calcutta-13.
14. Shri Rasiklal Worah, Jora Bungalows, P.O. Dhanbad, Dhanbad.
15. Shri S. R. Mehta, M/s. Newton Chikkl Collieries (P) Ltd., P.O. Parasla, Dt. Chhindwara, Madhya Pradesh.
16. Shri Guru Pada Sen Gupta (Colliery owner) Khas Kallmatl Colliery (P) Ltd., P.O. Kumardhubi, Dhanbad.
17. Shri V. L. Karwande, Dy. General Manager, Belampalli Group of Collieries, Belampalli (C. Rly.)

Representatives of the employees

18. Shri Kanti Mehta, General Secretary, Indian National Mineworkers' Federation, 9, Elgin Road, Calcutta-20.
19. Shri Gulab Gupta, General Secretary, M.P. Colliery Workers' Federation, 1931, Wright Town, Jabalpur (M.P.)
20. Shri L. P. Tripathi, C/o. Colliery Mazdoor Union, Branch: Parbella Colliery, P.O., Nituria, Dt. Purulia, West Bengal
21. Shri Saifque Khan, Secretary, Coal Workers Union, Giridih.
22. Shri Hit Narayan Singh, Koyala Mazdoor Panchayat, P.O. Jharla (Dhanbad), Bihar.
23. Shri H. Niyogi, Dy. Chief Mining Engineer, Tata Iron & Steel Co. Collieries, Sijua, P.O. Sijua, Dt. Dhanbad, Bihar.

[F. No. 4(74)66-P.F.I.]

(Department of Labour & Employment)

ORDER

New Delhi, the 13th July 1967

S.O. 2452.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and having regard to the location

of the factory namely the Central Jail Factory, Vellore, in an implemented area, the Central Government hereby exempts the said factory from the payment of the employers' special contribution leviable under chapter VA of the said Act for a further period upto and including the 23rd June 1968.

[No. F. 6(22)/66-HI.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 17th July 1967

S.O. 2453.—In exercise of the powers conferred by sub-rule (3) of rule 1 of the Mines Vocational Training Rules, 1966, the Central Government hereby appoints the 1st day of August, 1967, as the date on which the provisions of the said rules, except rule 9, shall come into force in respect of all mines, other than coal, oil, copper, gold, iron ore, manganese, limestone and mica mines

[No. 34/5/66-MI.]

J. D. TEWARI, Under Secy.